

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. Senatorska 16, 00-923 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 process Your personal data for purposes of taking steps at Your request aimed at entering into an agreement with the Bank, including for purposes of products and services marketing and similar products and services offered by the Bank's partners, as well as presenting the offer, bearing that such actions are addressed towards You (as a person conducting individual business activity) or Your employer or undertaking, who is interested in Bank's offer or its partners (hereinafter referred to as the "Bank's Prospect"), i.e. for executing purposes resulting from the Bank's legitimate interest (the Article 6.1.f of the GDPR).
2. In the event that as a result of abovementioned actions You (as a person conducting individual business activity) express your willingness to enter into agreement with the Bank, Your personal data will be processed at Your request in order to take necessary steps aimed at entering into agreement with the Bank (the Article 6.1.b of the GDPR).
3. Additionally, Your personal data might be processed:
 - a) in case of interest in credit products offered by the Bank:
 - i) for purposes related to evaluation of creditworthiness or credit risk analysis (in accordance with the Article 70 of the Polish Banking Law);
 - ii) for purposes of transferring information to institutions created on basis of the Article 105.4 of the Polish Banking Law, including Biuro Informacji Kredytowej S.A. (the Polish Bureau of Credit Information, the „BIK”) with its registered office in Warsaw, the Polish Bank Association with its registered office in Warsaw, as well as to business information offices in accordance with principles stipulated in the Polish Act of 9 April 2010 on disclosure of business information and exchange of business data;
 - b) 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 1 March 2018 on counteracting money laundering and terrorist financing (so called the "AML Act”);
 - ii. if applicable, purposes related with monitoring of correspondence with the Bank and transactions / orders on basis of the Regulation (EU) 2016/1011 on benchmarks and Regulation (EU) 596/2014 on market abuse (Market Abuse Regulation, the "MAR Regulation”), as well as in accordance with relevant sector-specific codes relevant for institutions of the banking sector (e.g. Code of Conduct for WIBID and WIBOR fixing participants) and, if applicable, monitoring and recording of phone calls and electronic communications with the Bank and transactions / orders on basis of the Polish Act of 29 July 2005 on trading in financial instruments;
 - iii. purposes related with reporting to authorities, including supervisory authorities, and to other entities, to which the Bank is obliged to report on basis of applicable laws;
 - iv. 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, on the Financial Ombudsman and Financial Education Fund, as well as other requests, motions and inquiries addressed to the Bank;
4. 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) 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;
 - b) 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;
 - c) if applicable, for purposes of keeping internal records of given and received benefits, conflicts of interests and violation of ethics to the extent necessary for counteracting abuses and making advantage of the Bank's activity for criminal purposes;

- 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) if applicable, for purposes of internal reporting within the Bank.
5. 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. Source of personal data

If Your personal data, i.e. name, surname, contact details, as well as, if applicable, PESEL number, position, have not been collected directly from You, the Bank informs that Your personal data were obtained from Bank's Prospect or other Bank's Client through referral program. In case Your personal data has not been obtained from these persons, they have been obtained from publicly available registers (e.g. CEIDG, REGON), other publicly available sources, such as the Internet or from Bank's Partners, to whom You provided consent for processing Your personal data for marketing purposes.

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) state authorities and entities performing public tasks or acting at the direction of state authorities, to the extent and for purposes, which results from law provisions e.g. the Polish Financial Supervision Authority (KNF), the Polish General Inspector of Financial Information (GIIF);
- b) entities performing tasks resulting from law provisions, such as BIK or business information offices, as well as other banks and credit institutions to the extent that this information is necessary in connection with carrying out banking operations and with acquiring and transferring receivable debts;
- c) entities supporting Bank in its business processes and banking operations, including data processors on behalf of the Bank;
- d) the Polish Bank Association.

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. for period until end of its exercising or to the extent of taking actions aiming at entering into agreement at the request of the Bank's Prospect, for period until signing the agreement or cease in taking such actions 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

Profiling should be understood as any form of automated processing of personal data consisting of its use to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

To the extent necessary for presenting the offer and entering into agreement between the Bank's Prospect and the Bank or for the Bank's compliance with a legal obligation, Your personal data may be processed by automated means, which may be related with automated decision-making, including profiling, which could produce legal effects concerning You or similarly significantly affects. Such cases shall occur in following situations:

- 1. Within performing money laundering and terrorist financing risk analysis in accordance with the AML Act, Your personal data shall be used in „Know Your Client” process, which takes place on stage of establishing relation, and after that, during regular reviews. To the extent of such profiling, i.a. on basis of circumstances, such as client type, business relations type, types of products, transaction history, geographic risk and verification if the client is a politically exposed person (PEP) in the meaning of the AML Act and whether client has previously showed high-risk activity (e.g. previously reported transactions to GIIF), it is determined or amended a level of risk for such client. If You will be classified as high-risk person in result of such profiling, the Bank reserves its right to contact You in order to collect additional information. Moreover, in result of such classification on stage of establishing relations it may come to refusal of entering into an agreement with You;
- 2. With reference to presentation by the Bank of an offer for products of a credit nature, conducting evaluation of Your creditworthiness and/or credit risk analysis. Evaluation of credit- and trustworthiness is conducted on basis of data provided by You in application for concluding an agreement with the Bank and information obtained from BIK and business information offices. The scope of used data covers information regarding Your current liabilities and information regarding service history of other products and services, including data contained in databases of BIK and of business information offices. In process of evaluation of credit- and trustworthiness, there are used statistic models, in result of which Your creditworthiness and credit trustworthiness for entering into obligations with the Bank is indicated. In case, when such process will prove lack of insufficient credit- and trustworthiness to enter into specific obligation, the Bank will refuse to grant You with a credit product.

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 necessary cases might, given the circumstances, share Your personal data to entities situated outside EEA, i.e. USA, Singapore, India, China, Hong Kong, Canada and United Kingdom, to which the transfer is necessary for Bank to create an offer for You (e.g. due to evaluation of Your credit- and trustworthiness or credit risk analysis). 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 the right to obtain a copy of the abovementioned standard data protection clauses (or other applicable safeguards of data transfer outside the EEA) via the Bank.