

INFORMATION ON THE PROCESSING OF PERSONAL DATA

In connection with implementation of 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) ("GDPR"), Bank Handlowy w Warszawie S.A. ("Bank") would like to inform you of the rules regulating the processing of your personal data and on your rights connected with it. If you have any questions as to the manner and scope of the processing of your personal data by the Bank as well as your rights, please contact the Bank at ul. Senatorska 16, 00-923 Warszawa [Warsaw], or the data protection officer by electronic means at daneosobowe@bankhandlowy.pl or in writing at ul. Senatorska 16, 00-923 Warszawa [Warsaw].

I. IDENTIFICATION OF THE CONTROLLER

Your personal data will be administered by Bank Handlowy w Warszawie S.A. with its registered office in Warsaw, ul. Senatorska 16.

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

1. The Bank processes your personal data for the purpose of concluding or performing the surety agreement or any other legal relationship in connection with a security established in favor of the Bank to secure claims that the Bank holds or will hold against its client (hereinafter: "Client") (Article 6 (1) (b) or (f) of the GDPR), and additionally:
 - a) with regard to credit facility agreements:
 - i. for purposes connected with the performance of creditworthiness assessment or credit risk analysis (pursuant to Article 70 of the Banking Law);
 - ii. in order to provide information to institutions established under Article 105 clause 4 of the Act - Banking Law, including to Biuro Informacji Kredytowej S.A. ("BIK") with its registered office in Warsaw, to the Polish Bank Association with its registered office in Warsaw, as well as to business information bureaus according to the rules prescribed in the Act on providing business information and exchange of business data of 9 April 2010;
 - b) to fulfil legal obligations imposed on the Bank in connection with its banking activity, including the following:
 - i. resulting from the Act on Anti-Money Laundering and Combating the Financing of Terrorism of 1 March 2018 (the so-called "AML Act"),
 - ii. connected with the processing of complaints and claims relating to the services provided by the Bank pursuant to Article 5 of the Act on processing complaints by entities operating in the financial market, on the Financial Ombudsman and Financial Education Fund of 5 August 2015, as well as other requests and queries addressed to the Bank.
2. What is more, in certain situations it is or may prove necessary to process your data for different purposes than those indicated above, essential due to exercise of Bank's legitimate interest (Article 6(1)(f) of GDPR), in particular for the following purposes:
 - a) connected with monitoring and improvement of quality of the products and services provided by the Bank, including monitoring of phone calls and meetings with the Bank,
 - b) if applicable to you, connected with restructuring or sales of Bank's claims against you and pursuing claims by the Bank;
 - c) if applicable, connected with conducting litigations, as well as proceedings before public authorities and other proceedings, including for the purpose of pursuing and defending against claims;
 - d) internal reporting within the Bank or the Citigroup capital group, including management reporting.
 - e) counteracting frauds and use of the Bank's operations for criminal purposes, including for the purpose of processing and sharing information related to suspicions or detection of crimes according to the rules prescribed in Article 106d et seq. of the Banking Act.
3. In other cases, your personal data will be processed only on the basis of your prior consent and in the scope and for the purpose determined in the wording of such consent.

III. SOURCE OF PERSONAL DATA

In the event that your personal data have not been collected directly from you, the Bank hereby informs you that your personal data, i.e. name, surname, PESEL number, correspondence address, have been obtained from the Client.

IV. THE OBLIGATION TO PROVIDE YOUR PERSONAL DATA TO THE BANK

To the extent your personal data are collected directly from you, the provision of personal data by you is a condition to establish a security. The obligation to provide personal data results from the fulfilment of obligations arising out of the legal provisions mentioned above or its fulfilment is necessary for the achievement of objectives arising out of the Bank's legitimate interest mentioned above. Your failure to provide all the required personal data may constitute an obstacle to the establishment of security in favor of the Client. In the scope in which personal data are collected on the basis of consent, providing personal data is voluntary.

V. INFORMATION ON THE RECIPIENTS OF YOUR PERSONAL DATA

In connection with the processing of your personal data for the purposes indicated in point II, your personal data may be disclosed to the following recipients or recipient categories:

- a) public authorities and entities performing public duties or acting upon commission of public authorities in the scope and for the purposes resulting from the legal provisions, e.g. to the Polish Financial Supervision Authority (Komisja Nadzoru Finansowego), the General Inspector of Financial Information (Generalny Inspektor Informacji Finansowej), the registry courts, the Minister of Finance (Minister Finansów);
- b) entities associated with the Bank, including within the frames of Citigroup, during performance of their reporting obligations;
- c) entities performing duties resulting from the legal provisions, such as Credit Information Bureaus (BIK) and business information bureaus, as well as other banks and credit institutions in the scope in which such information is necessary in connection with performance of banking activities and acquiring and disposing of claims;
- d) entities participating in processes necessary to conclude and perform the surety agreement or any other legal relationship in connection with a security established in favour of the Bank securing the claims of the Bank against the Client of the Bank, including the Krajowa Izba Rozliczeniowa S.A.;
- e) entities supporting the Bank in its business processes and banking activities, including entities processing personal data for the account of the Bank (the so-called data processors).
- f) the Polish Bank Association.

VI. PERSONAL DATA PROCESSING PERIODS

Your personal data will be processed for a period necessary for the achievement of the objectives indicated in point II, i.e. in the scope of the granted security, until the end of the period of the security, and after that period for a period and in the scope required under the legal provisions or for implementation by the Bank of a legitimate interest of the data controller in the scope as prescribed in point II above. If you give your consent to the processing of data for any purposes other than those set out in point II above, your personal data will continue to be processed until such consent is withdrawn by you.

VII. PROFILING AND AUTOMATED DECISION MAKING

Your personal data will not be used for profiling or for automated decision-making in respect of you.

VIII. RIGHTS OF THE DATA SUBJECT

The Bank would like to assure you that all persons whose personal data are processed by the Bank enjoy respective rights resulting from the GDPR. In view of the foregoing, you have the following rights:

1. the right to access personal data, including the right to obtain copies of such data;
2. the right to demand correction of personal data – if the data are incorrect or incomplete;
3. the right to demand removal of personal data (the so-called right to be forgotten) – if: (i) the data are no longer necessary for the purposes for which they have been collected or processed, (ii) the data subject raises an objection against data processing, (iii) the data subject withdraws the consent on which the processing is based and there is no other legal basis for the processing, (iv) the data are processed in violation of the law, (v) the data have to be removed for purpose of fulfilment of an obligation resulting from the legal provisions;
4. the right to demand limitation of the processing of personal data – if: (i) the data subject questions the correctness of personal data, (ii) the processing of data is in violation of the law and the data subject opposes removal of the data, demanding their limitation instead, (iii) the controller no longer needs the data for own purposes, but the data subject needs them for determination, defense or pursuit of claims, (iv) the data subject raises an objection against data processing, until it is determined if legally justified reasons on the part of the controller are superior to the basis of the objection;
5. the right of data portability – if: (i) the processing takes place on the basis of an agreement with the data subject or on the basis of consent expressed by such person, and (ii) the processing takes place in an automated manner;
6. the right to oppose the processing of personal data, including profiling – if: (i) certain reasons arise which are connected with your specific situation, and (ii) the processing of data relies on the necessity for purposes resulting from Bank's legitimate interest referred to in point II above.

IX. THE RIGHT TO REVOKE THE CONSENT TO PROCESS PERSONAL DATA

In the scope in which you have given your consent to the processing of personal data, you may revoke your consent to the processing of personal data. Revoking the consent does not affect the legality of the data processing carried out on the basis of the consent before it is revoked.

X. THE RIGHT TO FILE A COMPLAINT WITH A SUPERVISORY AUTHORITY

If you find that the processing by the Bank of your personal data violates the provisions of GDPR, you may file a complaint with the relevant supervisory authority.

XI. TRANSFER OF PERSONAL DATA TO ENTITIES FROM BEYOND THE EUROPEAN ECONOMIC AREA (EEA) OR INTERNATIONAL ORGANIZATIONS

In cases justified and necessary due to circumstances, the Bank may disclose your personal data to entities having their registered office outside the EEA (USA, Singapore, India, China, Hong Kong, Canada and United Kingdom) and international organizations (e.g. SWIFT), as well as other entities having their registered office outside the EEA or international organizations to which the transfer is necessary for the purpose of performing the surety agreement or any other legal relationship in connection with a security established in favor of the Bank to the Bank's claims against the Client of the Bank. As a principle, data will be transferred outside the EEA on the basis of standard contractual clauses concluded with the recipient, the content of which has been determined by the European Commission and ensures the highest standards of personal data protection applied in the market. You have the right to obtain copies of the above-mentioned contractual clauses (or other appropriate safeguards of data transfers outside the EEA) via the Bank.