

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. Bank processes Your personal data in general for executing purposes resulting from the Bank's legitimate interest to enter into and execute the agreement between Your employer / undertaking, that is the Bank's client (hereinafter as the "Bank's Client") and the Bank to the extent necessary to use payment card by You as a card holder (the Article 6.1.f. of the GDPR), and additionally for purposes of being compliant with legal obligations borne by the Bank in relation with conducting banking activities, including:
 - a) purposes resulting from the Polish Act of 1 March 2018 on counteracting money laundering and terrorist financing (so called the "AML Act");
 - b) purposes related with maintaining the Bank's payment liquidity, including providing compliance with obligations resulting from the Regulation (EU) 575/2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No. 648/2012 (Capital Requirements Regulation, the „CRR Regulation”);
 - c) 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 and regulations, including on basis of the Polish Act on amending certain acts for purposes of counteracting of the use of financial sector for fiscal extortions (the "STIR Act");
 - d) 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 organizations, on the Financial Ombudsman and Financial Education Fund, as well as other requests, motions and inquiries addressed to the Bank;
2. 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 of marketing of the Bank's products and services and similar products and services offered by the Bank's partners, which are addressed to the Bank's Client or You directly;
 - b) for purposes related with monitoring and improving quality of products and services provided by the Bank, including monitoring of telephone conversations and meetings with the Bank, surveying Your satisfaction from provided services;
 - c) 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;
 - d) 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;
 - e) 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;
 - f) if applicable in the Bank's Client's case, for purposes of restructuring and sale of the Bank's receivable debts relevant to You and pursue of claims by the Bank;
 - g) if applicable, for purposes related with handling dispute proceedings, as well as proceedings pending before state authorities and other proceedings, including for purposes of pursue and defending against claims;
 - h) for purposes of internal reporting within the Bank or within Citigroup, including management reporting;
3. 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 have not been collected directly from You, the Bank informs you that Your personal data, i.e. name, surname, PESEL number, sex, citizenship, address details, identity card details, contact details, mother's maiden name (or "word-password"), data necessary for the Bank's Client to identify You, Your card or transaction, were obtained from the Bank's Client.

IV. Obligation to provide personal data to the Bank

To the extent that your personal data are obtained directly from You, providing personal data by You results from compliance with legal obligations or is necessary to pursue purposes resulting from abovementioned legitimate interests of the Bank, including to enter into and exercise the agreement between the Bank's Client and the Bank with regard to using payment card by You.

The failure to provide all required personal data by You, might be a hindrance to entering into and providing services by the Bank related to use of payment card by You.

To the extent, where personal data are being collected on basis of consent, providing personal data is voluntary.

V. 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), the Polish National Revenue Administration (KAS);
- b) entities affiliated with the Bank, including within Citigroup, during performing reporting obligations;
- c) entities performing tasks resulting from law provisions, such as other banks and institutions to the extent that this information is necessary in connection with carrying out banking operations and with acquiring and transferring receivable debts;
- d) entities participating in processes necessary for exercising agreements concluded with the Bank's Client, including Krajowa Izba Rozliczeniowa S.A (KIR), Visa, Mastercard, First Data Polska;
- e) entities supporting Bank in its business processes and banking operations, including data processors on behalf of the Bank and the Bank's partners;
- f) the Polish Bank Association.

VI. Periods of processing personal data

Your personal data will be processed for period necessary for realisation of purposes indicated in p. II, i.e. to the extent of exercising agreement concluded between the Bank's Client and the Bank, for period until end of its exercising, 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 other purposes than indicated in p. II above, Your personal data will be processed until withdrawal of such consent.

VII. 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 entering into, or performance of an agreement between the Bank's Client 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 situation:

In justified cases, it is possible to take an automated decision on your refusal to perform a payment transaction if it is suspected that it was initiated by an unauthorized person. The identification of such cases is based on profiling established according to the criteria related to the characteristics of your transaction, including transaction amounts, the place where the transaction is initiated, and the method of its authorization.

VIII. 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.

IX. 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.

X. 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.

XI. Transfer of personal data to entities outside European Economic Area (EEA) or to international organisations

The Bank in justified and required, given the circumstances, cases might share Your personal data to entities situated outside EEA, i.e. USA, Singapore, India, China, Hong Kong, Canada and United Kingdom, and international organisations (e.g. SWIFT), as well as to other entities situated outside EEA, or international organisations, to which the transfer is necessary in order to exercise an agreement with Bank's Client (e.g. execution of payment card transaction made by You). 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 a right to obtain a copy of abovementioned standard contractual clauses (or other appropriate safeguards for transfer outside EEA) via the Bank.