

## PERSONAL DATA PROCESSING NOTICE

[Information for the proxies of the Clients of the Custodian Bank with whom Bank Handlowy w Warszawie S.A. concluded an agreement for the provision of brokerage services]

In connection with the enforcement of the requirements of 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/WE (General Data Protection Regulation) ("RODO"), Bank Handlowy w Warszawie S.A. ("Bank") hereby informs of the rules of processing of your personal data and of your rights in connection with such processing of personal data.

If you have any questions concerning the manner and scope of processing of your personal data by the Bank or your rights, please contact the Bank at our registered address, ul. Senatorska 16, 00-923 Warsaw, or contact the Data Protection Officer via email at: daneosobowe@bankhandlowy.pl or by post to the following address: ul. Senatorska 16, 00-923 Warsaw.

### I. Designation of Data Controller

The data controller of your personal data is Bank Handlowy w Warszawie S.A. with its registered office in Warsaw, ul. Senatorska 16, 00-923 Warsaw, Poland.

### II. Purposes and legal basis of processing of your personal data

1. The Bank processes your personal data, i.e. your name, surname and, if applicable: your PESEL number, correspondence address, contact details, position, data from your identity card and/or document certifying your authority to act on behalf of the client or another person, specimen signature, scope of authorization, primarily for the purpose of achievement of the objectives derived from the Bank's legitimate interests (Article 6(1)(f) of RODO) in undertaking the activities aimed at concluding or necessary for performing the agreement between your principal, being a client or prospective client of the Bank (hereinafter the "Bank Client"), and the Bank (Article 6(1)(b) of RODO), and additionally for the purposes of being compliant with legal obligations borne by the Bank in relation with conducting brokerage activities (Article 6(1) (c) of RODO), including:
  - i. purposes resulting from the Polish Act of 1 March 2018 on Counteracting Money Laundering and Terrorist Financing (the so-called "AML Act").
  - ii. if applicable to you, for the purposes of monitoring correspondence with the Bank and transactions or orders in accordance with Regulation (EU) No 596/2014 of the European Parliament and of the Council (the so-called "MAR Regulation"), and if applicable for the purposes of monitoring and recording of telephone conversations and electronic correspondence with the Bank in accordance with the Act on Trading in Financial Instruments of 29 July 2005;
  - iii. purposes associated with reporting to public authorities, including supervisory authorities, and to other entities to which the Bank is obliged to report under the applicable provisions of law; and
  - iv. purposes associated with handling actions and complaints related to services provided by the Bank in accordance with the Act on Handling of Complaints by Financial Market Entities and on the Financial Ombudsman of 5 August 2015, as well as handling other requests and inquiries addressed to the Bank.
2. Moreover in some situations, it is or may prove necessary to process your personal data for purposes other than specified above and required in the context of the pursuit of the Bank's legitimate interests (Article 6(1)(f) of RODO), in particular:
  - a) for purposes related to monitoring and improving the quality of services and products provided by the Bank, including monitoring of telephone conversations and meetings with the Bank, or examination of the level of your satisfaction with the services provided;
  - b) for purposes related to the Bank's risk management and internal control;
  - c) if applicable, for purposes of keeping internal records of benefits given and received, conflicts of interest and violation of ethics, to the extent necessary to prevent abuse or criminal exploitation of the Bank's activity;
  - d) if applicable to the Bank Client, for purpose of restructuring or selling of the Banks receivables held against the Client and pursuing claims by the Bank;
  - e) if applicable, for purposes related with litigation, as well as pending state authorities' proceedings and other proceedings, including the pursuit of and defense against claims.
3. In other instances, your personal data shall be processed exclusively on the basis of a previously granted consent within the scope and for the purposes specified in such consent.

### III. Source of obtaining personal data

If your personal data have not been obtained directly from you, the Bank informs, that they have been obtained from the Bank Client. If your personal data have not been obtained from the Bank Client, they have been sourced from public registers (e.g. CEIDG, REGON), or other publicly accessible sources such as the Internet.

### IV. Obligation to provide personal data to the Bank

To the extent in which your personal data are obtained directly from you, providing personal data results from compliance with legal obligations or is necessary to pursue purposes resulting from abovementioned legitimate interests of the Bank, including the conclusion and performance of the agreement between the Bank Client and the Bank.

Your failure to provide all the required personal data may prevent or hinder, depending on the circumstances, the conclusion of the agreement and provision of services by the Bank to the Bank Client.

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

## V. Information on recipients of your personal data

In relation to the processing of your personal data for purposes indicated in item II, your personal data may be shared with the 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 resulting from the provisions of law, e.g. the Polish Financial Supervision Authority, the General Inspector for Financial Information, National Tax Administration
- b) entities supporting the Bank in its business processes and brokerage activities, including entities processing personal data for the Bank (the so-called data processors).

## VI. Periods of processing of your personal data

Your personal data will be processed for the period necessary for realization of purposes specified in item II, i.e. with respect to the performance of the agreement executed between the Bank Client and the Bank, for the period until the end of its performance and after that, for the period and to the extent required by the provisions of law or for pursuing data controller's legitimate interests by the Bank in the scope stipulated in II above.

If you grant your consent to the processing of data for purposes other than indicated in item II above, your personal data will be processed until the withdrawal of such consent.

## VII. Profiling and automated decision-making

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

The Bank does not profile you and will not apply automated decision-making with respect to you.

## VIII. Rights of the data subject

The Bank wishes to assure you that all persons whose personal data are being processed by the Bank hold appropriate rights under RODO. Therefore, you have the following rights:

1. The right to access your personal data, including the right to obtain copies of such data;
2. The right to request rectification (correction) of your personal data when such data are inaccurate or incomplete;
3. The right to request the erasure of your personal data (the so-called "right to be forgotten") where i) the data are no longer necessary for the purposes for which they were collected or otherwise processed; (ii) the data subject objects to the processing of personal data; (iii) the data subject withdraws consent on which the processing is based and there is no other legal ground for the processing; (iv) the data are unlawfully processed; (v) the data have to be erased for compliance with a legal obligation;
4. The right to request the restriction of processing of personal data where: (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 processing, but it is required by the data subject for the establishment, defense or exercise of legal 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. The right to transfer personal data (portability) where (i) the processing is based on agreement with the data subject or on a consent granted by such person or (ii) the processing is carried out by automated means;
6. The right to object to processing of personal data, including profiling, (i) on grounds relating to your particular situation and where (ii) data processing is based on the necessity to pursue purposes resulting from legitimate interests of the Bank, referred to in II above.

## IX. The right to withdraw consent for personal data processing

To the extent where you have given consent for processing of your personal data, you are entitled to withdraw such consent for processing of personal data. Withdrawal of consent does not affect the lawfulness of data processing based on consent before its withdrawal.

## X. The right to lodge a complaint with a supervisory authority

In case you find processing of your personal data by the Bank is infringing RODO provisions, you are entitled to lodge a complaint with the relevant supervisory authority.

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

The Bank in justified and necessary cases may, given the circumstances, share your personal data to entities situated outside the EEA, i.e. Singapore, China, The United Kingdom and to international organizations (e.g. SWIFT), as well as to other entities established outside the EEA or international organizations to which such data transfer is necessary for the performance of the agreement (e.g. for the performance of your instructions related to the agreement). Transfer of data outside the EEA shall take place on the basis of standard data protection clauses concluded with the data recipient. The content of those clauses has been adopted by the European Commission and guarantees the highest standards of personal data protection applied on the market.

You have the right to obtain a copy of the abovementioned standard data protection clauses (or other applicable safeguards for data transfers outside the EEA) via the Bank.