

These Regulatory Information Guide, hereinafter referred to as "**The Guide**", sets out important regulatory information about CaixaBank S.A. (Spółka Akcyjna) Oddział w Polsce hereinafter referred to as "**CaixaBank**".

This Guide covers as follows:

1. - Registration details.
2. - The type of corporate clients we serve.
3. - Complaints about our service.
4. - Anti-Money Laundering, International sanctions and Tax Information Exchange.
5. - Details of the Polish Customer Agreement.
6. - Compensation Scheme.
7. - How we treat your information – data protection and bank secrecy.

#### 1. **Registration details.**

CaixaBank S.A., (Spółka Akcyjna) Oddział w Polsce is authorised by the European Central Bank (National Bank of Spain ("*Banco de España*")) and subject to limited regulation by the Polish Supervision Authority ("*Komisja Nadzoru Finansowego*" or "*KNF*"). Details about the extent of our regulation by the Polish Supervision Authority are available from us on request.

CaixaBank is a trading name of CaixaBank, S.A.

CaixaBank S.A., (Spółka Akcyjna) Oddział w Polsce is an organisational unit of CaixaBank S.A. with its registered office in Valencia, Spain, conducting business operations, and is not an entrepreneur within the meaning of the Act of 6 March 2018 on the rules for the participation of foreign enterprises and other foreign persons in trade in the territory of the Republic of Poland (reference of the Polish Journal of Laws: Dz.U.2018.649, as amended) and has no legal capacity separate from CaixaBank S.A.

#### 2. **The type of corporate clients we serve.**

In Poland we only offer our services to corporate clients. We do not deal with individuals.

#### 3. **Complaints about our service.**

We wish to provide our clients with a service of the highest standard possible. Our most important feedback comes from you, the client. Your comments enable us continually to improve our level of client service.

##### How to make a complaint:

If you, as a clients, are unhappy about any aspect of the service you have received and wish to make a complaint

- (i) You can visit our Branch and speak to a member of staff, preferably your Relationship Manager.
- (ii) However, if you wish to make a formal complaint you need to send a letter to CaixaBank S.A., (Spółka Akcyjna) Oddział w Polsce *ul. Prosta 51, 00-838 Warsaw*

Please provide as much information as possible about your complaint, including:

- A description of your complaint.
- Your Account details.
- Your contact details.
- What you suggest could be done to put things right.
- Please provide copies of any supporting documentation you have.

We will not charge you for making a complaint.

##### Next Steps:

The Customer shall have the right to file complaints concerning Instructions placed through Electronic Means of Communication.

Any complaints shall be filed immediately after the occurrence of the event forming the subject of complaint, but not later than 14 calendar days from the last day when such an event occurred.

CaixaBank shall consider complaints placed by the Customer within 15 Business Days from the receipt of a complaint.

Answers shall be provided in paper form or, after consultation with the Customer, on another durable medium.

In particularly complicated cases making it impossible to consider the complaint and reply within 35 Business Days, CaixaBank shall:

- explain the reason for the delay,

- indicate the circumstances that must be determined in order to consider the matter;
- specify the expected time frame for considering the complaint and providing a reply, no longer than 35 Business Days from the date of receipt of the complaint.

Where any of the tools constituting the Identification Package forms the subject of complaint, the User shall provide CaixaBank with a detailed description of losses that occurred in relation to the usage of such tools, by delivering a complaint form for such a tool (device). The complaint form should be submitted to CaixaBank together with the damaged element of the Identification Package.

Complaints described hereinabove may be submitted:

- at the office of CaixaBank,
- by post,
- via e-mail at the address 9815@caixabank.com
- via the Call Centre.

#### How we will investigate your complaint.

We will investigate your complaint as quickly and efficiently as we can. We will look at all the facts of your case on the basis of all the evidence available to us and determine a fair and reasonable outcome. We aim to be as competent, diligent and impartial as possible and we will always try our utmost to put things right for you.

We may need to ask for more information about your complaint, in which case we will contact you or any other person we need to. If we need to disclose your personal information to someone else for the purposes of the investigation, we will ask for your permission first.

Where relevant, we will take into account similarities with other complaints we have received and applicable regulatory guidance in investigating your complaint.

#### What is a final response?

A final response is our written response setting out the findings of our investigation into your complaint and offering redress or remedial action where we consider appropriate. If we reject your complaint we will give you our reasons for doing so.

#### **4. Anti-Money Laundering, International Sanctions and Tax Information Exchange**

We are required to establish each client's identity in accordance with applicable anti-money laundering, international sanctions and tax information exchange legislation. We may contact you to obtain further information to enable us to complete our due diligence process before entering into an agreement with you or to obtain further information during the course of the agreement.

We may be unable to process transactions with / for you or to otherwise deal with you where to do so might in our view breach anti-money laundering or international legislation. Where we suspect money laundering, terrorist financing, other criminal activity and/or international sanctions we may be required to report information about you / your Accounts to law enforcement agencies.

Additionally, depending on your circumstances we may be required to refer information about you to the Polish, US or other tax authorities pursuant to the US Foreign Account Tax Compliance Act 2010, the Organisation for Economic Co-operation and Development's Common Reporting Standard and/or other similar legislation. Such information may be shared between tax and/or other authorities globally.

Regarding Sanctions issues, CaixaBank Group complies with any economic or trade sanctions laws, regulations, embargoes or restrictive measures administered, enacted or enforced by (hereinafter "Sanctions"): (i) the United States of America; (ii) the United Nations; (iii) the European Union or any present or future member state thereof; (iv) the United Kingdom; or (v) the respective governmental institutions and agencies of any of the foregoing, including without limitation, the U.S. Department of the Treasury's Office of Foreign Assets Control ("OFAC"), the Polish Ministry of Finance (together "Sanctions Authorities").

It is prohibited for CaixaBank to maintain a business relationship with a person that is:

- (i)
  - a) listed on, or owned or (directly or indirectly) controlled by a person listed on, or acting on behalf of a person listed on, any Sanctions List;
  - b) located in, incorporated or organised under the laws of, or owned or (directly or indirectly) controlled by, or acting on behalf of, a person located in, incorporated or organised under the laws of a country or territory that is, or whose government is, the target of country- or territory-wide Sanctions (including, without limitation, Iran, North Korea and Syria); or
  - c) otherwise a target of Sanctions (hereinafter, "Restricted Persons");
- (ii) participated or controls a Restricted Person;
- (iii) is acting directly or indirectly for or on behalf of such any Restricted Person;
- (iv) participates or controls a Restricted Person;
- (v) is incorporated, located, having its operating headquarters or is resident in a country or territory, or whose government is subject to Sanctions;
- (vi) that maintains any business relationships or has any activity or business for or with any individuals of countries, territories or jurisdictions subject to Sanctions;
- (vii) that will use any part of the proceeds of any Contract with CaixaBank directly or indirectly to make funds available to or receive from any individual subject to Sanctions or will direct such funds to finance, directly or indirectly, any activity or business for or with
  - a) any individual subject to Sanctions,
  - b) any territory or country that, at the time of using the proceeds or the product is, or its government, subject to Sanctions or
  - c) otherwise is in breach of Sanctions.

Although, operations in or related to sanctioned jurisdictions, North Korea, Iran, and/or Syria are prohibited and operations in Cuba cannot be in US dollars or with a US nexus, including US goods, unless the ones not prohibited or allowed by an OFAC General Licenses.

We would like to highlight, that operations in or related to the restricted jurisdictions mentioned in the paragraph above are conducted in-line with the relevant sanctions programs. All operations in these countries are considered high risk and subject to review prior to their execution.

## 5. **Details of the Polish Customer Agreement**

The Polish Customer Agreement will be in English, Polish or bilingual. Any communications between us will be in English, Spanish or Polish if the client has requested it in the relevant individual conditions (Special Terms).

You may request a copy of the Polish Regulatory Information Guide, the Polish Customer Agreement and the Polish Processing Guide, which sets out payment execution times, cut-off times and other operational information, from us at any time.

## 6. **Compensation Scheme**

We are part of CaixaBank, S.A., which is based in Spain. If we were to fail financially depositors may, depending on their circumstances, be covered by the Spanish Deposit Guarantee Fund (*Fondo de Garantía de Depósitos*).

This means that if CaixaBank is unable to meet its financial obligations, our eligible Polish depositors may be entitled to claim up to a maximum limit from the Fondo de Garantía de Depósitos. The monetary amount guaranteed is applied per depositor – this means that a client with deposits with CaixaBank in both Poland and Spain will be treated as a single claimant. Joint Customers are treated as a single claimant, so that the compensation will be divided between them in accordance with their interest in the deposit.

The maximum monetary amount guaranteed per depositor is €100,000 for deposits in Euros and, for deposits in other currencies, the equivalent of €100,000 in the relevant currency according to the exchange rate applicable on the earlier day (i) the relevant Court issues a judicial resolution declaring the insolvency of the bank or (ii) the Banco de España issues a resolution stating the need for the Fondo de Garantía de Depósitos to be applied. If the relevant date is a bank holiday, the date for the applicable exchange rate will be the previous business day.

For further information about the Fondo de Garantía de Depósitos (including the amounts covered and eligibility to claim) please contact CaixaBank S.A., (Spółka Akcyjna) Oddział w Polsce or:

Fondos de Garantía de Depósitos  
C/ José Ortega y Gasset, 22 -5 planta  
28006 Madrid

Teléfono: +34 91 431 66 45

Fax: + 34 91 575 57 28

Email: [fogade@fgd.es](mailto:fogade@fgd.es)

Website: [www.fgd.es](http://www.fgd.es)

## 7. **How we treat your information**

### 7.1 **Data protection**

7.1.1 In order to provide you with products and services we may need to collect, use, share and store personal and financial information about you, your business and certain other people including your directors, officers, authorised signatories, other employees, shareholders, beneficial owners and guarantors or grantors, etc ("Relevant Individuals").

These personal data shall be used by CaixaBank, S.A. (Spółka Akcyjna) Oddział w Polsce at ul. Prosta 51, 00-838 Warszawa, as a data controller, for the performance of a contract to which you are party, in order to take steps at your request prior to entering into a contract with us, to comply with legal obligations, to enable CaixaBank to pursue its legitimate interests or for a purpose you have given your consent to.

This includes information we:

7.1.1.1 Obtain from you or directly from Relevant Individuals, or from third parties, such as the Polish Financial Supervision Authority (KNF) or Office for the Protection of Personal Data (UODO), or other organisations when you apply for an Account, product or service or which you or they give to us at any other time.

7.1.1.2 Learn from the transactions you make such as the date, amount, currency and the name and type of supplier you use and the way you use and manage any Account you hold with us.

Where you provide personal data in respect of any Relevant Individuals, you are responsible for, and confirm that you have obtained the consent of those Relevant Individuals for us to use that personal data in the manner set out within this Regulatory Information Guide. You will be liable to us in respect of any failure to obtain that confirmation.

7.1.2 We, CaixaBank, S.A. (Spółka Akcyjna) Oddział w Polsce at ul. Prosta 51, 00-838 Warszawa and other members of the CaixaBank, S.A. Group may use your information to inform you by mail, telephone, text (or similar) message, email and other electronic methods, about products and services which may be of interest to you. You can opt out from such communications at any time by contacting us at ul. Prosta 51, 00-838 Warszawa or in the link enabled in the same communication.

7.1.3 When you apply for a business Account or service with us we may:

7.1.3.1 Check our own records and systems. We may check for information about:

- Any other Accounts (including any personal Accounts) belonging to you or your business partners or to Relevant Individuals.
- Your shareholders who are beneficial owners of 25% or more of the business.

7.1.3.2 Request searches from credit reference agencies. We will ask for searches on:

- Publicly available information about you and your business partners' personal credit behaviour, and that of Relevant Individuals.
- Information about the way you and your business partners and Relevant Individuals have handled any personal borrowings, if your business has three or fewer directors or partners.

- Information about your business.
  - Information about your business Accounts.
  - The identities of the beneficial owners of your business.
  - In respect of your directors, their residential addresses (to confirm they are the same as those shown on the restricted register of directors' usual addresses at National Court Register (KRS)).
- 7.1.3.3 Request searches at fraud prevention agencies. We will ask for searches for information about you, your address(es), your business partners, Relevant Individuals, your business, and the beneficial owners of your business. If false or inaccurate information is provided or fraud is suspected or identified, we will record this. We may also pass this information to the fraud prevention agencies and other organisations involved in crime and fraud prevention where it may be accessed by law enforcement agencies. The information recorded by fraud prevention agencies may be accessed and used by organisations in the UK and in other countries.
- 7.1.3.4 Check the Polish relevant public information, including the register applicable for the entity in Poland e.g. National Court Register KRS databases for information on your solvency.
- 7.1.3.5 We may also use your information and that of Relevant Individuals for the additional purposes listed below either during your application process or in the future. Other organisations may also use that information for these purposes where they have received it from the credit reference agencies or the fraud prevention agencies:
- Checking details and making decisions about credit and credit-related services for you, your business or your business partners.
  - Verifying your identity and the identities of any Relevant Individuals.
  - Undertaking checks for the prevention and detection of money laundering, international sanctions, fraud and other crimes.
  - Use scoring methods to assess the application and to verify your identity.
  - Locating you and recovering any debts you owe.
  - Performing statistical analysis and testing.
  - Carrying out regulatory checks or other work to meet our obligations to any regulatory or tax authority.
  - We may use automated processes when we use information you disclose to us for any of the purposes listed in this condition.
  - If you borrow or may borrow from us we will give details of your business Account, which may include the names and other personal data of Relevant Individuals associated with your Account, to credit reference agencies. We will also tell the credit reference agencies if you have borrowed from us and have not repaid in full and on time.
- 7.1.4 We may also share information about you, your business, and the Relevant Individuals, and how are managed the Account(s) contracted with selected third parties including:
- 7.1.4.1 Other companies within the CaixaBank, S.A. Group, including (i) internal service companies and (ii) to other CaixaBank companies and entities with whom the Customer has a relationship. A list of companies within the CaixaBank group with which your personal information may be shared can be found here: [https://www.caixabank.es/empresa/general/empresas-del-grupo\\_es.html](https://www.caixabank.es/empresa/general/empresas-del-grupo_es.html)
- 7.1.4.2 To third parties who provide a service to us or who are acting as our agents, on the understanding that they will keep the information confidential.
- 7.1.4.3 To anyone to whom we transfer (or may transfer) our rights and/or duties, or subcontract (or may subcontract) our rights and/or our duties under any agreement.
- 7.1.4.4 To any third party as a result of any restructure, sale or acquisition of any company within the CaixaBank, S.A. Group, provided that any recipient uses your information for the same purposes as it was originally supplied to us and/or used by us.
- 7.1.4.5 If we have a duty to do so, it is convenient from a legal and/or regulatory perspective or if the law allows us to.
- 7.1.4.6 For international payments where we are required to send details of the payee and the beneficiary with the payment, to overseas regulators and authorities in connection with their legitimate duties, for example the prevention of crime.
- Otherwise we will keep information about you, your business, Relevant Individuals and your Account(s) in accordance with data protection laws.
- 7.1.5 The processing of the data is carried out, generally by service providers located in the European Economic Area (EEA) or located in countries that ensures an adequate level of protection. In other cases, CaixaBank will guarantee the security and legitimacy of the processing of the data by requiring the appropriate safeguards (binding corporate rules or standard data protection clauses adopted by the European Commission, or EU-US Privacy Shield framework).
- 7.1.6 The data will be processed while remain in force the contractual or business relations established. Once the validity has expired, the data will be stored for the sole purpose of complying with the legal obligations required and to formulate, exercise or defense of claims, during the applicable retention periods.
- 7.1.7 Any Relevant Individual may access, rectify or erase their personal information, as well as restrict, limit or object to the processing thereof on grounds relating to their particular situation, or request its portability, as provided by law. In addition, a Relevant Individual has the right to provide instructions as to the situation of their personal data in case of death. In order to exercise these rights, notification shall be addressed to in writing to CaixaBank's offices in Poland at ul. Prosta 51, 00-838 Warsaw, or to any other CaixaBank, S.A. branch, or the Spanish registered office of CaixaBank, S.A. located at Calle Pintor Sorolla 2-4 46002 Valencia (Spain) or by means of [www.caixabank.com/ejerciciodederechos](http://www.caixabank.com/ejerciciodederechos).
- 7.1.8 Likewise, any Relevant Individual has the right to lodge a complaint with a supervisory authority (in Poland, the Office for the Protection of Personal Data (UODO) [iod@uodo.gov.pl](mailto:iod@uodo.gov.pl), or the lead supervisory authority of CaixaBank Group, the Agencia Española de Protección de Datos, [www.agpd.es](http://www.agpd.es)).
- 7.1.9 Finally, any Relevant Individual may contact the CaixaBank's Data Protection Officer for any doubt or query at [www.caixabank.com/delegadoprotecciondedatos](http://www.caixabank.com/delegadoprotecciondedatos).
- 7.1.10 You undertake to inform each Relevant Individual of the provisions of this section 7.

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## 7.2 **Bank secrecy**

CaixaBank is also bound by bank secrecy. The obligation for the bank to maintain bank secrecy has been described in Article 104 of Polish Banking Act.

Caixa Bank is obliged to disclose the information covered by bank secrecy in accordance to the Art. 105 of Polish Banking Act.

The Bank does not apply, subject to paragraph 4 and 4a of the Art. 104 of Polish Banking Act, maintaining banking secrecy towards the person to whom the information covered by the secrecy concerns. **To third parties, this information may be disclosed**, subject to art. 105, art. 106a and art. 106b of Polish Banking Act, **only if the person to whom such information relates in writing authorizes the bank to provide certain information to the person or organizational unit indicated by him / her**. The authorization may also be expressed in electronic form. In this case, the bank is obliged to consolidate the authorization thus expressed on an IT data carrier within the meaning of art. 3 point 1 of the Act of February 17, 2005 on computerization of the activities of entities performing public tasks.