

PERSONAL DATA PROCESSING NOTICE

[Information for potential clients or representatives of potential clients]

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 your 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 office 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 for processing of your personal data

1. The Bank processes your personal data for the purposes of marketing Bank's products and services and presenting its product and service range when it presents it to you, your employer or a company which is interested in Bank's product and service range (hereinafter referred to as a "Bank Prospect"), as well as for the purposes of taking other steps which are necessary for a Bank Prospect to enter into an agreement with the Bank, i.e. for the purposes resulting from the Bank's legitimate interest (Article 6(1)(f) of RODO).
2. If, as a result of the above actions, you or your employer expresses your will to enter into an agreement with DMBH, your personal data will be processed at your request, in order to take necessary steps aimed at entering into an agreement with the Bank (Article 6(1) (b) of RODO).
3. Moreover, your personal data may be processed:
 - a) In case you are interested in brokerage services, for purposes related to examining your level of knowledge of investing in financial instruments and your investment experience and determining the target group for a given financial instrument (in accordance with the rules set out in the Act on Trading in Financial Instruments of 29 July 2005 and in subordinate legislation enacted thereunder).
 - b) 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 Bank's correspondence 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;
 - 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;
 - iv. purposes associated with handling actions and complaints related to services provided by the Bank in accordance with Article 5 of 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.
4. 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) To prevent abuse and criminal exploitation of the Bank's activity, including for purpose of processing and sharing information concerning suspected or detected criminal offences;
 - b) If applicable, for purposes of keeping internal records of given and received benefits, conflicts of interest and violation of ethics, to the extent necessary to prevent abuse or criminal exploitation of the Bank's activity;
 - c) 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.
5. 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, i.e. your first name, surname, contact details and, if applicable, your PESEL Statistical I.D., position, have not been obtained directly from you, the Bank informs that they have been sourced from public registers (e.g. REGON), or other publicly accessible sources such as the Internet.

IV. Information on Recipients of your personal data

With regard to processing of your personal data for purposes indicated in II above, 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;
- b) Entities supporting the Bank in its business processes and banking activities, including entities processing personal data for the Bank (the so-called data processors);

V. Periods of processing personal data

Your personal data will be processed for the period necessary for realization of purposes indicated in II above until their completion or, insofar as the activities aimed at entering into an agreement at the request of a Bank Prospect are concerned, for the period until the agreement has been concluded or until their completion, 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 different than stipulated in II above, your personal data will be processed until the withdrawal of such consent.

VI. Profiling and automated decision-making

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

If applicable, to the extent necessary for presenting the offer and entering into an agreement between a Bank Prospect and the Bank or for the Bank's compliance with a legal obligation, your personal data may be subject to automated processing, which may involve automated decision-making, including profiling, which may produce legal effects concerning you or significantly affect you otherwise. Such cases shall occur in following situations:

1. As part of assessing the risk of money laundering and terrorist financing under the AML Act, your personal data are used in the "Know Your Customer" process, which takes place at the relationship establishment stage, and thereafter as part of regular reviews. As part of the profiling process and based on circumstances such as the type of potential customer, business relationship, product type, geographical risk and whether the potential customer is a politically exposed person within the meaning of the AML Act, the level of risk for that potential customer is determined or changed. If, as a result of such profiling, you are classified as a high-risk person, the Bank reserves the right to contact you in order to collect additional information. Moreover, this qualification may result in a refusal to enter into an agreement with you at the stage of establishing a relationship.
2. If you are interested in the Banks brokerage services - insofar as the assessment of the level of your knowledge and experience (in accordance with the Act on Trading in Financial Instruments of 29 July 2005) is concerned, the information obtained will be used to assess your knowledge and experience in investing on the financial market. The Bank may not offer some or all brokerage services to you or to your employer or it may refuse to enter into an agreement for the provision of brokerage services if it establishes that there is insufficient knowledge of the nature of such brokerage services on your part.

VII. Rights of 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 data;
2. the right to request the 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 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 concluded with the data subject or on a consent granted by such person; and (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.

VIII. The right to withdraw consent for processing of personal data

To the extent where you have given consent for processing of 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.

IX. 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

X. 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.