

PERSONAL DATA PROTECTION AT HAITONG BANK, S.A.

This document has been prepared in connection with the entry into force of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27th 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 ("GDPR") and is aimed at implementing the information obligation resulting from Articles 13 and 14 of the GDPR.

This document contains information on the rules for the processing of your personal data by Haitong Bank, S.A. ("**Haitong**" or "**the Bank**") and on your rights resulting from the GDPR.

In this document, "**Customer**" means natural persons, legal entities or unincorporated organisations:

- (i) to whom the Bank provides services within the scope of its operations ("**Products**") or which provide services for the Bank; or
- (ii) with whom the Bank conducts negotiations, discussions or in relation to which the Bank undertakes any other actions aimed at establishing cooperation with respect to the services provided by the Bank or the entity;
- (iii) in relation to which the Bank takes legal or factual actions in connection with the provision or intent to provide services to the persons indicated in point (i) and (ii), or with the intent respectively to make, conclude and execute transactions, ventures, contracts, or services.

In this document, "**Related Party**" means natural persons related to the Customer, including in particular employees, co-workers, proxies, statutory representatives, members of management or supervisory bodies of legal persons or organisational units without legal personality, partners and shareholders of companies (if they are natural persons) whose personal data is processed by the Bank in connection with activities undertaken with respect to the Customers.

Customers who are natural persons and Related Parties are collectively hereinafter referred to as "**you**".

1. THE CONTROLLER AND THE DATA PROTECTION OFFICER

The controller of your personal data is Haitong Bank, S.A. with its registered office in Lisbon at R. Alexandre Herculano 38, 1269-180 Lisbon, Portugal, entered in the register of entrepreneurs kept by the Office of the Commercial Register in Lisbon - Branch I, as number 501385932, operating through Haitong Bank, S.A. Spółka Akcyjna Oddział w Polsce, with its registered office in Warsaw, 00-120 Warsaw, ul. Złota 59, entered in the Register of Entrepreneurs of the National Court Register by the District Court for the capital city of Warsaw in Warsaw, 12th Commercial Division, as KRS number 0000302998, NIP (taxpayer identification number) 5262965103.

To contact the Bank regarding the processing of your personal data, you can use the following communication channels with the Bank:

- by phone +48 22 347 4000,
- by email sent to: info@haitongib.com,
- in writing to the correspondence address: ul. Złota 59, 00-120 Warsaw,
- in person at a branch of the Bank.

You can also contact the Data Protection Officer directly, as indicated on the Bank's website (www.haitongib.com), using:

- the Data Protection Officer's email address: dpo@haitongib.com,

- the correspondence address of the Data Protection Officer: R. Alexandre Herculano 38, 1269-180 Lisbon, Portugal.

2. THE PURPOSE AND LEGAL BASIS OF THE PROCESSING OF PERSONAL DATA

2.1 The purpose of processing the personal data

- the negotiation, conclusion, amendment and execution by the Bank of agreements with the Bank's Customers, including verification of Customers' creditworthiness and credit risk analysis;
- the conclusion and execution by the Bank of contracts with Related Parties;
- securing, asserting and satisfying claims by the Bank, defending the Bank against claims, conducting debt collection activities by the Bank;
- the processing of complaints, grievances and submissions by the Bank;
- complying with the legal obligations imposed by regulations to combat money laundering and terrorist financing;
- ensuring compliance with the regulations governing the Bank's operations, including the preparation of statistics and reports and their submission to the relevant institutions;
- archiving data on the basis of generally applicable legal regulations.

2.2 Legal basis for the processing of personal data

a) Performance of contractual obligations (article 6, paragraph 1, letter b of the GDPR)

Processing may be necessary to perform the contractual obligations with respect to you or, at your request, it is necessary to take specific steps prior to the conclusion of a contract.

b) Legal obligation (article 6, paragraph 1, letter c of GDPR)

Processing is often necessary for compliance with the Bank's legal or regulatory obligations or is directly prescribed by law.

c) Voluntary consent

In some cases, the Bank obtains your prior voluntary consent for the processing of personal data. If the Bank processes your personal data on the basis of your consent, it may be revoked at any time. The withdrawal of consent shall not render the processing carried out prior to such withdrawal unlawful.

(d) Legitimate interests of the controller (article 6, paragraph 1, letter f of the GDPR)

Processing may also be considered necessary to safeguard the legitimate interests of the Bank where it does not unreasonably affect your interests or fundamental rights and freedoms. In the case of processing based on this legal basis, the Bank analyses the risks of breaching your rights or freedoms and the measures adopted to protect personal data.

One of the legal grounds on which the Bank processes your personal data is the achievement of the objectives resulting from legally justified interests pursued by the Bank. "Legitimate interests" in the processing of personal data by the Bank are in particular:

- execution by the Bank of agreements concluded by the Bank's Customers, including the possibility of the Bank's contact with Customers;

- verifying Customers' creditworthiness and carrying out credit risk assessment before and during the conclusion of an agreement;
- consideration of complaints, grievances and applications;
- establishing or pursuing claims by the Bank in the course of its business and defending against such claims.

3. PROCESSING PERIOD (INCLUDING STORAGE) OF PERSONAL DATA

The storage period of your personal data depends on the Product we offer and the purpose for which the personal data is processed. The following data retention periods will apply most frequently:

- 6 years - the period of limitation of civil law claims against the Bank, calculated from the date on which the claim became due - article 118 of the Civil Code;
- 3 years - the period of limitation for potential civil law claims of the Bank or against the Bank related to conducting business activity as well as claims for periodical benefits, calculated from the date on which the claim became due - article 118 of the Civil Code;
- 5 years - the period counted from the first day of the year following the year in which the operation on the transaction data took place - according to the act on counteracting money laundering and financing of terrorism;
- 5 years or 12 years - the period counted from the date of expiration of the obligation towards the Bank, pursuant to the act on banking law;
- 5 years - the period calculated: a) from the beginning of the year following the financial year to which the data refer - in accordance with the act on accounting; b) from the end of the calendar year, in which the deadline for the payment of tax expired up to the end of the tax liability - in accordance with the Tax Ordinance act; c) from the first day of the year following the year in which the Bank received the data - in accordance with the Tax Ordinance act.

The aforementioned periods of retention of personal data may change with a change in generally applicable legal regulations.

4. CATEGORIES OF PERSONAL DATA PROCESSED AND THE SOURCES OF THEIR COLLECTION

4.1. Data collected directly from you

The scope of data collected from you depends on the nature of your relationship with the Bank and is determined by the content of the documentation signed by you with the Bank.

4.2. Data collected from other sources

In addition to collecting data directly from you, the Bank may also collect personal data directly or indirectly from other entities, as well as from publicly available sources. This applies to:

- in the case of all Related Parties whose relationship with the Bank is related to the conclusion of an agreement by the Customer with the Bank - data obtained from Customers or third parties when concluding and performing an agreement with the Bank, related to the agreement, in particular data enabling the unambiguous determination of your identity;
- in the case of all Related Parties who have or may have obligations towards the Bank - data obtained from Customers or third parties when concluding and performing an agreement with the Bank related to the agreement, as well as from publicly available sources;
- in the case of Related Parties that are counterparties to the Customer - data obtained from Customers or third parties when concluding and performing an agreement with the Bank;

- for all Related Parties and Customers whose data is available in publicly available registers, the data contained in such registers.

4.3. Consideration of complaints, grievances and applications

In the case of complaints, grievances or applications submitted by you, you may provide the Bank with additional personal data, for example descriptions of the events in connection with which you submit a complaint.

4.4. Recorded conversations

The Bank records telephone conversations in order to ensure current performance of obligations related to Customers' use of a specific Bank Product and performance of agreements concluded directly with Related Parties, as well as in connection with the performance of regulatory obligations imposed on the Bank.

5. GROUNDS FOR REQUIRING THE PROVISION OF PERSONAL DATA WHERE THE BANK COLLECTS DATA DIRECTLY FROM YOU

In the case of all Related Parties whose relationship with the Bank is related to the conclusion by the Customer of an agreement with the Bank, providing data directly to the Bank, the Bank requires the provision of personal data which are necessary for the verification of your identity, the performance of the Bank's contractual obligations towards a Customer or the performance of your obligations towards the Bank.

In the case of all persons who conclude an agreement with the Bank and transfer data directly to the Bank, the Bank shall require the provision of personal data which is necessary for the verification of your identity or the Bank's performance of the agreement concluded with you.

The provision of the personal data referred to in point 4.1 by Related Parties results from the requirements imposed by the Bank under generally applicable laws and is a necessary condition for the Customer to use the Bank's Products or, if applicable, for the Bank to enter into an agreement between the Related Party and the Bank. In any case, providing such information is voluntary, however, failure to provide this data will mean that the Customer will not be able to use the Bank's Products or the Bank will not be able to conclude and perform an agreement with you.

6. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS OF THE PERSONAL DATA

6.1. The transfer of personal data to recipients within the Haitong Bank Group, the transfer of personal data outside the EEA

Personal data processed for the purpose of offering Products by the Bank may be transferred to other companies in the group to which the Bank belongs ("Haitong Bank Group").

The Bank transfers your personal information to the Haitong Bank Group to the extent that it is authorised or required to do so by law, including but not limited to anti-money laundering and anti-terrorist financing laws.

In this context, international data transfers may be carried out by the Bank to entities in third countries or to organisations outside the EEA which do not ensure an adequate level of protection. In such cases, the Bank is required to take appropriate measures to ensure adequate protection of personal data in such countries.

Moreover, the Bank may, in justified cases, make your data available to entities located outside the EEA and to international organisations (e.g. SWIFT) to which the transfer is necessary in order to perform an agreement (e.g. to execute your instructions for transfers related to the agreement).

6.2. Transferring personal data to recipients outside the Haitong Bank Group

Your personal data may be transferred to third parties outside the Haitong Bank Group to fulfill the purposes stated above to the extent that the data is necessary for the performance of the tasks assigned

by the Bank, if required by law, or if the Bank has another legal basis. The following may be considered as recipients:

6.2.1. Entities processing personal data at the request of the Bank

In its banking activity, the Bank uses the services of entities to which it entrusts the processing of personal data of Customers and Related Parties. Examples of such entities are:

- providers of IT systems, and entities providing hosting or support services for IT systems,
- consultants and external advisers,
- entities providing archiving services, including archiving of banking documentation.

6.2.2. Entities independent of the Bank

The Bank transfers the personal data of Related Parties and Customers to various entities independent of the Bank. This applies to:

- the transfer of your data to third parties who are the recipients of the data in connection with an agreement concluded by a Customer; the recipients differ depending on the category of the Product, and include in particular: payment organisations, entities handling payments, other banks and credit institutions, as well as other entities established on the basis of article 105, paragraph 4 of the act on banking law, the entities listed in article 105, paragraph 1 of the act on banking law, brokerage houses, transfer agents and KDPW CCP S.A;
- in the case of all Related Parties whose relationship with the Bank is related to the conclusion by the Customer of an agreement with the Bank - the transfer of data to such Customers or relevant Related Parties;
- in the case of Customers' counterparties - the transfer of data to Customers.

The Bank may be required by law to disclose your personal data to entities established under the act on banking law.

The transfer of data to entities independent of the Bank may be necessary for the Customer to conclude an agreement with the Bank.

The Bank may also disclose personal data at the express request of a Customer to entities which have been authorised by the Customer to

receive information concerning the Customer that constitutes banking secrecy.

7. RIGHTS OF RELATED PARTIES

7.1. Vested rights

You have the right:

- to access your personal data processed by Haitong Bank, S.A. (article 15 of the GDPR);
- to demand the rectification or supplementation of personal data processed by Haitong Bank, S.A. (article 16 of the GDPR);
- to request the deletion of your personal data in the cases specified in the provisions of article 17 of the GDPR;
- to demand that the processing of your personal data be restricted in the cases specified in the provisions of article 18 of the GDPR;
- to withdraw your consent in the event that Haitong Bank, S.A. obtained such consent for the processing of personal data (with the reservation that such withdrawal shall not violate the lawfulness of data processing carried out before the withdrawal) pursuant to article 7 of the GDPR;
- to object to the processing of your personal data (including profiling) if such processing is carried out for the purpose of pursuing a public interest or legitimate interest of Haitong Bank, S.A. in accordance with article 21 of the GDPR;
- to transfer the data pursuant to article 20 of the GDPR (i.e. to obtain personal data provided to Haitong Bank, S.A. in a structured, commonly used and machine-readable format, and to request that such personal data be sent to another controller, without hindrance from Haitong Bank, S.A. and subject to its own confidentiality obligations).

7.2. Exercise of your rights

In order to exercise your rights or obtain detailed information regarding the processing of your personal data, please contact the Bank or the Data Protection Officer.

If you believe that we are processing your data in breach of the law, you have the right to lodge a complaint with the competent data protection authority. In Poland, this authority is the President of the Office for Personal Data Protection.