

## Compliance

Compliance with the law, respect, integrity, transparency, excellence, professionalism, confidentiality and social responsibility **are the basic principles that inspire the actions and govern the activity of CaixaBank.**

CaixaBank's **Code of Ethics** and **Anti-Corruption Policy** seek to ensure not only compliance with applicable legislation, but also a firm commitment to its ethical principles as signatories of the United Nations Global Compact. In accordance with **CaixaBank's Code of Ethics and Business Conduct** and the principle of compliance with the law, CaixaBank defines, in its **Corporate Criminal Compliance Policy**, the crime prevention model, which includes the set of measures aimed at preventing, detecting and reacting to criminal conduct and identifies the risks and controls associated with the same that are established.

All employees, managers and members of its administrative body must comply with the laws and regulations in force at all times, as well as any internal regulations or circulars of CaixaBank, where, among others, the fight against money laundering and the financing of terrorism is a priority.

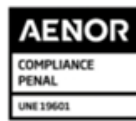
**The CaixaBank Branch in Poland**, as part of the CaixaBank International Network, encourages and promotes compliance with ethical values and principles within its sphere of competence.

All the information on the main responsible policies and principles in social and environmental matters can be found at [Ethics and integrity policies | CaixaBank](#)

As a result of its commitment to promoting a responsible culture, CaixaBank has obtained the following certifications:



UNE-ISO 37301:2021: Certification of Compliance Management Systems.



UNE 19601:2017: Certification of Criminal Management Systems.



ISO 37001:2016: Certification of Anti-bribery Management Systems.

## CaixaBank Clients

In Poland, CaixaBank offers its services exclusively to corporate clients. It does not deal with consumers within the meaning of the Civil Code.

## Details of the contract documentation

- CaixaBank's contracting documentation will be in English and by signing and accepting it, the Client declares that he/she has an adequate level of understanding of the English language to understand the information provided therein. Communications between CaixaBank and the Client will be in English, Spanish or Polish if the Client has so requested in the corresponding Particular Conditions. At the Client's request, the contracting documentation may also be drawn up in Polish. In such case, the Polish version shall prevail.
- The Client downloads a copy of the Regulatory Information Guide, the List of Prices and Services (Bank Fee Schedule) and the Processing Guide, which sets out payment execution times, cut-off times and other

operational information. and other operational information, from the CaixaBank website ([www.caixabank.pl](http://www.caixabank.pl)).

## **Prevention of Money Laundering and International Financial Sanctions**

The CaixaBank Group is firmly committed to the prevention of money laundering and the prevention of the financing of terrorist activities, and to compliance with International Financial Sanctions and Countermeasures Programs.

**The Poland Branch** has adopted this commitment in compliance with the main laws, regulations and directives applied by the local authorities, in addition to promoting the application of the highest international standards in the field (European Banking Authority (EBA), European Central Bank (ECB), Financial Action Task Force (FATF), among others).

In this context, we are required to determine the identity of each customer and each person acting on behalf of the customer in accordance with applicable anti-money laundering, international sanctions and tax information exchange legislation. Therefore, we may need to contact you to obtain information to enable us to complete our due diligence and know-your-customer (KYC) process prior to entering into a business relationship with you, and also to obtain additional information during the course of our business relationship.

CaixaBank may be prevented from processing transactions with/for the Client, or otherwise dealing with the Client if, in CaixaBank's opinion, this would violate international or anti-money laundering legislation. When CaixaBank has suspicions of money laundering, terrorist financing, other criminal activities and/or international sanctions, CaixaBank may be obliged to communicate information about the Client and/or his/her accounts to law enforcement agencies.

In addition, depending on the circumstances, CaixaBank may be required to submit information about the Customer to Polish, US or other tax authorities under the Act of 9 October 2015 on the implementation of the Agreement between the Government of the Republic of Poland and the Government of the United States of America on Improving International Tax Compliance and Implementation of FATCA Legislation the Act of March 9, 2017 on the exchange of tax information with other countries, the Organization for Economic Cooperation and Development-s Common Reporting Standard and/or other similar legislation.

Such information may be shared among tax and/or other authorities worldwide.

With respect to Sanctions, the 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) Poland; or (v) the respective governmental institutions and agencies of any of the foregoing, including, without limitation, the United States of America. (vii) any of the foregoing, including, without limitation, the Office of Foreign Assets Control ("OFAC") of the U.S. Department of the Treasury ("OFAC"), the Polish Ministry of Finance (collectively, the "Sanctioning Authorities").

- CaixaBank is prohibited from maintaining a business relationship with a person/entity:
  - I. against whom/which according to Article 117 of the Act of 1 March 2018 on Combating Money Laundering Money Laundering and Terrorist Financing (uniform text: Journal of Laws [Dziennik Ustaw] of 2021, item 1132, as amended) specific restrictive measures shall be applied, indicated in:
    - a. lists announced by the Inspector General of Financial Information based on United Nations Security Council Resolutions issued on the basis of United Nations Security Council Resolutions. Security Council resolutions issued on the basis of Chapter VII of the Charter of the United Nations concerning threats to international peace and security caused by terrorist acts, in particular in the lists referred to in paragraph 3 of UN Security Council Resolution 2253 (2015) or paragraph 1 of UN Security Council Resolution 1988 (2011);
    - b. list maintained by the Inspector General of Financial Information in accordance with Article 120 of the Act of 1 March 2018 on Combating Money Laundering and Terrorist Financing (uniform text: Journal of Laws [Dziennik Ustaw] of 2021, item 1132, as amended); published in the Public Information Bulletin on the dedicated website of the minister responsible for public finances.

- II. located in, incorporated or organized under the laws of, or owned or (directly or indirectly) controlled by, or acting on behalf of, a person located in, incorporated or organized under the laws of a country or territory that is, or whose government is, a member state of the European Union. territory that is, or whose government is, the subject of sanctions throughout the country or territory (including, without limitation, Iran and North Korea); or
- III. is subject to sanctions for any other reason;
- IV. listed on any of the Sanctions and Sanctions Lists (hereinafter "Restricted Persons");
- V. participates in or controls a Restricted Person;
- VI. acts directly or indirectly for or on behalf of such Restricted Person;
- VII. participates in or controls a Restricted Person;
- VIII. is incorporated, located, has its principal place of business or is resident in a country or territory whose government is subject to Sanctions;
- IX. who maintains any business relationship or has any activity or business for or with any individual from countries, territories or jurisdictions subject to Sanctions;
- X. who uses 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 directs such funds to finance, directly or indirectly, any activity or business for:
  - a. any person subject to Sanctions,
  - b. any territory or country which, at the time of the use of the funds or proceeds, is, or its government is, subject to Sanctions, or
  - c. is otherwise in violation of the Sanctions.

Transactions in sanctioned jurisdictions, North Korea, Iran or related to them are prohibited, and transactions in Cuba may not be in U.S. dollars or with a U.S. nexus, including U.S. assets, unless not prohibited or permitted by an OFAC General License.

CaixaBank wishes to emphasize that transactions in or related to the restricted jurisdictions mentioned in the preceding paragraph are conducted in line with the relevant sanctions programs. All transactions in these countries are considered high risk and subject to review prior to execution.

More information on the **General Principles of the CaixaBank Group's Corporate Policy on the Prevention of Money Laundering and the Financing of Terrorism and the Management of International Financial Sanctions and Countermeasures** can be found at this link: [Corporate policies and other corporate documents | CaixaBank](#)

## Professional secrecy

CaixaBank is also bound by bank secrecy i.e. CaixaBank, its employees, and persons acting as intermediaries of banking operations, are bound by the obligation of secrecy in relation to bank secrets, which includes all information relating to a banking operation obtained in the course of negotiations, and during the conclusion and performance of the agreement under which that operation is performed by the bank as described in Article 104 of Banking Law. In certain situations CaixaBank shall not be however bound by the bank secrecy, including:

- due to the nature and type of banking act or the provisions of law in force, the agreement on the basis of which the banking act is undertaken cannot be properly performed, or the acts connected with concluding the agreement cannot be performed without revealing the information subject to banking secrecy,
- the information subject to banking secrecy is revealed to undertakings or foreign undertakings, among others, that CaixaBank entrusted, in accordance with Article 6a section 1 and Articles 6b-6d of Banking Law regarding bank's outsourcing activities, with temporarily or permanently performing acts connected with conducting banking activity or that were entrusted with performing acts in accordance with Article 6a section 7 of Banking Law regarding factual acts under bank outsourcing activities, both to the extent the information is necessary to properly perform those acts,
- the information subject to bank secrecy is revealed to advocates or legal advisers in connection with legal assistance rendered to CaixaBank,

- revealing information subject to bank secrecy is essential to the conclusion and performance of agreements on the sale of 'receivables-lost', as classified in accordance with separate provisions of law,
- insuring debtors of securitised receivables against the risk of insolvency, and
- providing information to other banks, credit institutions or financial institutions participating in the same financial holding is essential to properly carry out duties indicated in the provisions of law for counteracting money laundering and financing terrorism.

Additionally

Moreover, CaixaBank in certain cases, can be obliged to disclose the information covered by bank secrecy, only to entities and in cases indicated in the Article 105 of the Banking Act including:

- other banks and credit institutions, to the extent that such information is necessary to perform banking operations and for the purposes of acquisition and disposal of claims.
- other institutions entitled by law to grant credits – subject to the condition of reciprocity, as regards the claims and bank account operations and balances, to the extent that such information is necessary to grant credits, loans of money, bank guarantees and sureties.
- other banks, credit institutions, or financial institutions, to the extent that such information is necessary ensure compliance with the applicable regulations on consolidated supervision, including, in particular, the preparation of consolidated financial statements covering CaixaBank, manage the risks relating to large exposures and apply internal approaches as well as other methods and models referred to in the provisions of the third part of Regulation No. 575/2013.
- other banks, savings and credit unions, the National Savings and Credit Union (Krajowa Spółdzielcza Kasa Oszczędnościowo-Kredytowa), and the clearing house or Central Database to the extent necessary to provide the summary information with relation to inheritance left by the account holder.
- the Head of the National Tax Administration [Dyrektor Kraowej Administracji Skarbowej] and the clearing house within the scope necessary to properly perform their tasks and obligations referred to in Tax Ordinance Act of 29 August 1997 (uniform text: Jpurnal of Laws [Dziennik Ustaw] of 2021, item 1540, as amended);
- suppliers providing the service of initiating a payment transaction, within the scope necessary to provide the service of initiating a payment transaction.
- suppliers providing access to account information within the scope necessary to provide access to account information.
- payment service providers within the scope necessary to perform the obligations.
- insurance companies, reinsurance companies, parent insurance entities, parent insurance entities not regulated or mixed parent insurance entities in the extent necessary to perform the provisions of group supervision and within the scope necessary to perform the provisions of supplementary supervision exercised pursuant to the supplementary supervision act dated 15 April 2005, as amended which apply to said entities.
- at the request of courts and authorized state bodies, including the Banking Guarantee Fund (Bankowy Fundusz Gwarancyjny) and the Financial Supervision Authority (Komisja Nadzoru Finansowego).

The Bank is not obliged to not disclose the bank secrecy subject to paragraph 4 and 4a of the Article 104 of the Banking Act, towards the person to whom the information covered by the secrecy concerns.

Subject to Article 106a (the bank is obliged to inform a public prosecutor, the Police, and any other competent authority authorized to conduct preparatory proceedings in case of reasonable suspicion that the bank's activities are used to conceal any criminal activity or for any purposes connected with a fiscal offence) and Article 106b (the public prosecutor

in charge of the proceedings relating to a criminal or fiscal offence may require the disclosure of information that constitutes bank secrets by a bank, its employees, or any persons acting as intermediaries in banking operations, only on the basis of a decision issued at the prosecutor's request by a regional court of appropriate jurisdiction) of the Banking Act, only when the entity that the information concerns authorizes the bank, in writing, to reveal specified information to an indicated person or organizational unit.

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 Article 3 point 1 of the Act of 17 February 2005 on computerization of the activities of entities performing public tasks (uniform text: Journal of Laws [Dziennik Ustaw] of 2021, item 2070, as amended).

## Qualified electronic seal

The use of the qualified electronic seal in order to place statement of will to CaixaBank, S.A. (Spółka Akcyjna) Oddział w Polsce requires additional formalities.

If the Customer uses the qualified electronic seal CaixaBank requests the Customer and the Customer is obliged to provide CaixaBank with all relevant information, documents and statements that are necessary in order to: (i) verify validity of the electronic seal and the certificate attached to it; (ii) identify the person placing statement of will with use of qualified electronic seal; (iii) verify whether such person is properly authorized to represent the Customer, and (iv) confirm that the person authorized to represent the Customer accepts the statement of will placed with use of the qualified electronic seal. This may include necessity of providing additional statements of will or confirmations signed with use of handwritten signatures or qualified electronic signatures.

CaixaBank reserves the right not to accept the statement of will that is not confirmed/verified in accordance with preceding sentences. The banking activities which relate to such non confirmed/non-verified statements of will should be regarded as non-executed and non-existing.

## Compensation Scheme

CaixaBank are part of CaixaBank, S.A., which is based in Spain. If CaixaBank was 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, its 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 customer with deposits with CaixaBank in both Poland and Spain will be treated as a single claimant. Joint account holders 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:

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