

This Guide sets out important regulatory information about CaixaBank S.A., *succursale en France*. It covers:

1. - Registration details.
2. - The type of corporate customers we serve.
3. - Complaints about our service.
4. - Anti-Money Laundering, International sanctions and Tax Information Exchange.
5. - Details of the on-boarding documentation.
6. - Compensation Scheme.
7. - Personal data
8. - Banking secrecy

1. **Registration details.**

CaixaBank S.A., *succursale en France* is authorised by the European Central Bank (National Bank of Spain ("Banco de España")) and subject to limited regulation by the French Prudential Supervision and Resolution Authority ("Autorité de Contrôle Prudentiel et de Résolution"), Financial Firms Register Reference Number: 12933. Details about the extent of our regulation by the French Prudential Supervision and Resolution Authority are available from us on request.

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

CaixaBank S.A., *succursale en France* is registered with the Paris Trade and Companies Register ("Registre du Commerce et des Sociétés de Paris") under Company No. 840 797 427.

2. **The type of corporate customers we serve.**

In France we only offer our services to corporate customers. We do not deal with individuals.

3. **Complaints about our service.**

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

**How to make a complaint:**

If you, as a customer, 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:
  - a. Complete the complaints form which you can find on the website of CaixaBank S.A., *succursale en France*. ("<https://www.caixabank.fr>").
  - b. Send a letter to the Complaints Service Department at:

CaixaBank S.A., *succursale en France*

Service Réclamations Clients

45 – 49 rue Monceau  
75008 – Paris

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:**

Once we receive your complaint we will send you a written acknowledgement of receipt. We will do this within a maximum of ten (10) business days, from the date the complaint is received by us.

A complaint received on any day other than a business day, or after close of business on a business day, may be treated as received on the next business day.

We will try to complete our investigation as quickly as we can and will aim to provide you with a final response to your complaint within seven (7) business days of having sent you our acknowledgement letter. This may not be possible in all cases, however, as your complaint may be particularly complex and require more time.

If we are unable to complete our investigation within seven (7) business days, we will let you know this and will keep you updated as to the progress of our investigation.

In any case we will send you our final response no later than eight (8) weeks (or thirty-five (35) business days with respect to complaints relating to payment transactions covered by the provisions of Article L.133-45 of the French Monetary and Financial Code) after we have received your complaint.

#### 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 customer'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 French, 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 French Ministry of Economy and Finance, His Majesty's Treasury (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 on-boarding documentation**

• CaixaBank's on-boarding documentation will be in English and by signing and accepting it, the Customer represents that it has an appropriate level of understanding of the English language to understand the information provided in it. Any communications between us will be in English, Spanish or French if the Customer has requested it in the relevant individual conditions.

• You download a copy of the Regulatory Information Guide, the List of Price and Services and the Processing Guide, which sets out payment execution times, cut-off times and other operational information, on CaixaBank's website ([www.caixabank.fr](http://www.caixabank.fr)).

#### **6. Compensation Scheme**

We are part of CaixaBank, SA., 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 French 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 France 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 SA., *succursale en France* or:

Fondos de Garantía de Depósitos

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C/ José Ortega y Gasset, 22 -5 planta  
28006 Madrid

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

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

## 7. **Personal data**

### 7.1 **How we process your personal data**

- 7.1.1. In order to provide you, as our business customer(s), with our products and services (the “customer(s)” or “you”), we may need to process personal data regarding certain people (natural persons) related to you including your directors, officers, authorized signatories, other employees, shareholders, beneficial owners and guarantors or grantors, etc. (“Relevant Individuals”).
- 7.1.2. This privacy notice describes how personal data is being processed by CaixaBank, S.A., (“CaixaBank”, “we” or “us”), with NIF A-08663619, having its seat at Calle Pintor Sorolla, 2-4 46002 Valencia (Spain). CaixaBank processes this personal data as data controller, through its branch CaixaBank S.A., succursale en France, for the performance of a contract to which you are a 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 to which data subjects have given their consent to, as further described below.

Additionally, for certain type of processing, which we inform you about herein, CaixaBank processes personal data jointly with other companies and are therefore jointly responsible for such processing activities. For more information in relation to such joint controllers and the key aspects for the joint agreements in place please visit: <https://www.caixabank.es/particular/general/tratamiento-de-datos-empresas-del-grupo-en.html>.

### 7.2 **Personal data we process**

- 7.2.1. We obtain the following personal data regarding Relevant Individuals from you, directly from them or from other sources, as described below:
- Data provided by you or Relevant Individuals directly (or derived from our relationship with you) including identification and contact details (e.g. name, surname, ID information / document, place and date of birth, nationality, PEP condition, signature, business and private postal address, email address and telephone number) and economic activity details (e.g. position, status, sector, financial activity, source of funds, legal capacity and professional contact details); and
  - Data such as identification data, contact details and data related to international sanctions obtained from sources accessible to the public (such as the commercial register, transparency register, insolvency register databases, credit information systems, public databases and the Internet) or other third parties such as the European Central Bank, the *Autorité de contrôle prudentiel et de résolution* (ACPR), the *Banque de France*, judicial authorities acting in the course of criminal proceedings and tax authorities.
- 7.2.2. Where you provide to us personal data in respect of any Relevant Individuals to us, you are responsible for, and confirm that you have lawfully shared, such personal data with us and, where required, obtained the consent of the respective Relevant Individuals for us to use their personal data in the manner set out in this Regulatory Information Guide. You also undertake to appropriately inform all Relevant Individuals about the processing of their personal data by us as further described herein.

### 7.3 **Purposes and lawful bases for processing**

- 7.3.1. We process personal data in order to **enter into, manage and perform the provision of financial products or services in the scope of the agreement** (or to take appropriate precontractual steps) with our customers, being the legal basis for the performance of said agreements or in order to take the necessary steps to enter into the same.

This data processing includes checking details and making decisions about credit and credit-related products or services for our customers and verifying their identity and the identities of any Relevant Individuals; as well as managing the contractual relationship with them (i.e. answering to operational queries, sending operational communications, etc.).

- 7.3.2. We process personal data on the lawful basis of **complying with legal obligations**, including to:
- Comply with applicable anti-money laundering and terrorist financing regulations (including checking our own records and systems for information about any other accounts (including any personal accounts) belonging to you or your business partners or to Relevant Individuals and about your shareholders who are beneficial owners);
  - Comply with the specific regulations applicable to financial and credit institutions and other applicable regulations (such as tax regulations); as well as to comply with requirements of authorities or other regulatory bodies in accordance with the law; and
  - Carry out regulatory checks or other controls to meet our obligations towards any regulatory or tax authority (such as obligations arising from international policies on financial sanctions and counter terrorist financing).

Most of the above processing activities and carried out jointly with other CaixaBank Group companies. For more information in relation to such joint controllership please visit: <https://www.caixabank.es/particular/general/tratamiento-de-datos-empresas-del-grupo-en.html>.

- 7.3.3. When you apply for a bank account or other financial product or service with us, we may, on the lawful basis of our **legitimate interest** as described below, process personal data for the following purposes:

- Adopt the necessary steps to avoid and deal with malicious transactions or behaviour, by identifying attempts to commit fraud against us or our customers (which includes checking fraud prevention lists and communicating with competent agencies), considering our legitimate interest in preventing fraud that would entail financial or reputational losses for us or our customers. This processing activity is also carried out jointly with other CaixaBank Group companies. For more information please visit: <https://www.caixabank.es/particular/general/tratamiento-de-datos-empresas-del-grupo-en.html>.
- Enquiry and communication with credit reporting systems or agencies within the framework of the request and subsequent management of products involving financing, considering our legitimate interest in avoiding non-payments and defaults by applicants or holders of products involving financing.
- Take the measures provided for in the international financial sanctions and counter terrorist financing programmes to which we are not directly subject to (e.g. those adopted by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC)), considering our legitimate interest (and that of our co-controller companies as foreseen in the link provided above) in being able to carry out our business activities in those countries where such measures are required.
- Locate our customers in order to contact them in the event of a breach of their contractual obligations (including where needed for recovering any debts they owe), considering our legitimate interest to defend our interests and recover debt in situations of non-payment.
- Perform statistical analysis and testing (applying, where possible, anonymisation or pseudonymisation techniques) in order to draw up reports on our activity and relationship with the market, on the composition and evolution of our customer base and on the suitability and effectiveness of our products and services, based on our legitimate interest in designing, organising and optimising our business and commercial activity as efficiently as possible.

Where we process personal data in fulfilment of our own legitimate interest, we carry out a balancing test (available upon request) to verify that said legitimate interest is not prevailed by the data subject's interests or rights.

Please note that we may also process personal data from Relevant Individuals as a means to inform you (as our customer) by mail, telephone, text (or similar) message, email and other electronic methods, about products and services similar to those previously contracted which may relate to your business (unless you have opted out from such communications) or others, provided that you have provided your consent, as required.

#### 7.4 Recipients of personal data

7.4.1. We share, or make available, personal data with the following recipients:

- Controllers or joint controllers of the pertinent data processing, i.e., where the processing is carried out under shared responsibility, it is performed by the companies within the CaixaBank Group, in accordance with what we have outlined above for each of the processing events.
- Third parties which provide a service to us (such as financial back-office services, administrative support services, IT services, etc.) or to anyone to whom we subcontract (or may subcontract) our rights and/or our duties under any agreement. These will act as data processor and will not process personal data for their own purposes.
- Authorities, regulators, public institutions or other third parties so long we have a legal obligation to do so (e.g., in the framework of the fight against the financing of terrorism and organised crime, and for the prevention of money laundering, as well as within the framework of the prudential supervision of credit institutions).
- Credit reporting systems or agencies, as anticipated above, and always following applicable conditions and requirements set forth in applicable regulations.

#### 7.5 International data transfers

The processing of personal data is carried out, generally, by service providers located in the European Economic Area (EEA) or located in countries that ensure an adequate level of protection. In other cases, we will guarantee the security and legitimacy of the processing of the data by requiring appropriate safeguards (e.g., binding corporate rules or standard data protection clauses adopted by the European Commission) to be put in place. For further information on such international transfers and the safeguards adopted (including the possibility of obtaining a copy thereof) please contact CaixaBank's Data Protection Officer at <https://www.caixabank.es/particular/general/dpo-en.html>.

#### 7.6 Personal data retention

We will keep personal data in accordance with applicable data protection laws. The data will be processed while the contractual or business relations established remains in force. 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 defence of claims, during the applicable retention periods.

#### 7.7 Data protection rights

Any Relevant Individual may access, rectify or erase their personal data, as well as restrict or object to the processing or request its portability. They also have the right to provide instructions as to the situation of their personal data in case of death (as applicable) and to revoke their consent at any time (where this is the lawful basis from processing personal data).

In order to exercise these rights, notification shall be addressed to in writing to CaixaBank's branch registered office at 45 – 49 rue de Monceau 75008 Paris, or to any other CaixaBank, S.A. branch, or to 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).

Likewise, any Relevant Individual has the right to lodge a complaint with a supervisory authority (in France, the French Data Protection Authority (Commission Nationale de l'Informatique et des Libertés – CNIL) or the lead supervisory authority of CaixaBank Group, the Agencia Española de Protección de Datos, [www.aepd.es](http://www.aepd.es)).

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## 7.8 Data Protection Officer

Finally, any Relevant Individual may contact CaixaBank's Data Protection Officer for any doubt or query at <https://www.caixabank.es/particular/general/dpo/en.html>.

## 8. Banking secrecy

In accordance with Article L.511-33 of the French *Code monétaire et financier*, CaixaBank agrees to maintain the confidentiality of any information of the customer covered by banking secrecy to which it has access under the banking relationship, and to use such information only for the purposes of exercising its rights and performing its obligations under contracts to which the customer is a party.

However, CaixaBank may disclose information covered by banking secrecy in accordance with Article L.511-33 of the French *Code monétaire et financier* to, inter alia, the *Autorité de contrôle prudentiel et de résolution* ("ACPR"), the *Banque de France*, judicial authorities acting in the course of criminal proceedings and tax authorities.

In accordance with Article L.511-33 of the French *Code monétaire et financier*, CaixaBank may also disclose information covered by banking secrecy to:

- a. Rating agencies, for the purpose of rating financial products; and
- b. The persons with which CaixaBank negotiates, enter into or carries out the transactions listed hereafter, provided that such information is necessary for the purpose of such transactions:
  - i. Credit transactions carried out, directly or indirectly, by one or more credit institutions or financing companies;
  - ii. Transactions involving financial instruments, guarantees or insurances, for the purpose of hedging a credit risk;
  - iii. The acquisition of a stake in, or of control over, a credit institution or an investment firm or a financing company;
  - iv. Sales of assets or of a business (fonds de commerce);
  - v. Assignments or transfers of receivables or contracts;
  - vi. Service provision agreement entered into with a third party in order to entrust such party with significant operational tasks;
  - vii. In the course of reviewing or drawing up any type of contracts or transactions, provided that the entities concerned belong to the same group as the author of disclosure.
- c. A central repository when required by the laws or regulations of a non-EU country for operations on financial contracts.

The recipients of information covered by banking secrecy, which has been disclosed to them for the purpose of one of the transactions mentioned above, must keep such information confidential, whatever the outcome of said transaction.

Furthermore, in accordance with Article L.511-33 of the French *Code monétaire et financier*, CaixaBank may disclose information covered by banking secrecy on a case-by-case basis and subject to the express consent of the customer.