

Notice of personal data processing by ING Bank Śląski S.A. for shareholders, persons participating in the General Meeting or exercising share rights

ING Bank Śląski S.A. hereby provides the following notice as required under the Regulation of the European Parliament and of the Council regarding personal data protection:

Legal grounds

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, OJ L 2016.119, 4.5.2016, has been applicable since 25 May 2018 (hereinafter referred to as the Regulation).

We used the following terms in this notice:

Company, or the Bank – ING Bank Śląski Spółka Akcyjna with its registered office in Katowice. Details concerning the Bank, including details of the Bank's entry to the court register, the tax identification number and the address of the Polish Financial Supervision Authority which is the regulatory authority, are found -at the bottom of each page of this notice (as a footnote).

Shareholder, or you – a natural person whose personal data the Bank processes in relation to his/her participation in the Bank's General Meeting or exercising his/ her rights to shares that are or will be issued by the Company. As used herein, the "Shareholder" is also a person who is a proxy or a statutory representative of a Shareholder or who represents the Shareholder or is otherwise authorised to exercise rights to the Company's shares. In order to make the text clearer, we use the direct term "you" herein.

1. Bank as the Data Controller, contact details of the Bank and of our Data Protection Officer.

ING Bank Śląski S.A. is the controller of your personal data. The Bank operates its business, including the brokerage business in a separate Brokerage Office of ING Bank Śląski S.A., pursuant to its Charter. The Bank's registered office is located in Katowice, postal code 40-086, at ul. Sokolska 34, website: www.ing.pl. You may contact the Bank's Data Protection Officer by writing at the Bank's mailing address, preferably with an annotation "Data Protection Officer" or by e-mail at: abi@ing.pl

2. For what purposes do we process your personal data?

The Company processes your personal data for the following purpose:

- 1) to fulfil the duties arising from the Community law (the law of the European Union) or from Polish law applicable to the Company or to the Bank as an issuer of securities, including but not limited to: the Polish Commercial Companies Code, the provisions of the Trading in Financial Instruments and Public Offering Act or any other provisions binding on the Company that is a securities issuer, to fulfil other duties envisaged under law, also to make lists of Shareholders, fulfil duties to keep records, reporting duties, including duties towards the National Depository for Securities, the Stock Exchange, the National Bank of Poland or the Polish Financial Supervision Authority,
- 2) to review a request or perform other activities related to the Shareholders' exercising their rights to shares issued by the Company,



- 3) to exercise rights arising from legitimate interests of the Company, such as:
 - a) to warrant safety of people and property, particularly while organising the General Meetings. It also covers the monitoring at the Bank outlets, while respecting the privacy and dignity of natural persons,
 - b) to assert possible rights, including claims, by the Company or defend its own rights or the rights of the entity that the Company represents.

This information is addressed to shareholders and their proxies in relation to exercising their rights to the Company's shares. As for natural persons who are shareholders, shareholders' representatives or proxies, giving personal data is necessary so as to determine whether or not they are authorised to exercise rights to shares vis-à-vis the Company, and to participate in the General Meeting.

The Company does not take automatic decisions based on the shareholders' data.

3. What are the categories of data processed?

The Bank processes primarily data related to the identification or verification of rights to shares (securities issued by the Company). Those data include in particular data put on the share documents or documents proving the rights to shares (securities), regardless of their form, the share register, proxies, records, extracts from the relevant registers or other documents related to the General Meeting or to the exercise of rights to shares by the Shareholders.

The Bank also processes audiovisual data. Those include but are not limited to the recordings to secure assets or property.

Furthermore, the Company may process other personal data provided by the Shareholder, the stock exchange, the National Depository for Securities or any other authorised authority or entity, unless they may be classified in any of the above groups, and the processing takes place for purposes described herein.

4. For what other purposes may we process data?

Presented above are the primary purposes of data processing. The Company may process data for other secondary purposes if the two purposes are correlated. The following secondary purposes are envisaged:

- 1) transferring the data to the archives,
- 2) audits or investigation proceedings,
- 3) implementation of business- or management control mechanisms,
- 4) other statistical research or historic- or scientific research,
- 5) business-, economic- or legal advisory services provided to the Bank.

5. What are the categories of data recipients?

We may transmit personal data to entities or authorities:



- 1) that are authorised under law, including in particular the National Depository for Securities,
- 2) of other Shareholders to perform obligations resulting from law, including in particular Article 407 of the Commercial Companies Code,
- 3) if transmission of the data to them is necessary in order to perform a specific activity, e.g. a payment transaction to which the Shareholder is a party, or to perform any other activity related to the Shareholder,
- 4) that may be provided with the data pursuant to consent or authorisation,
- 5) that are clearing houses or other entities in charge of settlements or clearing, payment institutions or schemes, or entities that represent such entities, provided it is in relation to an activity performed by or for the Shareholder.

In case of settlements, the competent entities (institutions) for the recipient of a given transaction to which we transmit data may operate in Poland, countries of the European Economic Area (EEA). The Company does not envisage personal data transmission outside EEA; however, the Company may, as part of performance of a binding agreement, transmit such data if the Shareholder gives the Company a payment instruction authorising it to make a payment to a country outside that area. Accordingly, entities competent for a given type of transaction may operate in Poland, within or outside the European Economic Area. Organisations operating outside Poland include the Society for Worldwide Interbank Financial Telecommunication (SWIFT) based in Belgium.

The Bank may also entrust data to other entities while remaining the data controller.

6. How long will the Company process the data?

The Company will process the data as long as a given person is a Shareholder. Furthermore, the Company processes archive data upon the expiry of a given legal relationship for an archiving period not shorter than the statute of limitations period. The general document archiving period is 6 years; the period ends upon the expiry of the last day of a calendar year, unless the legal regulations provide otherwise. If there is a dispute, a court trial or any other proceedings (including in particular criminal proceedings), the archiving period will be counted from the date on which the dispute was concluded in a final and binding manner; in case of multiple proceedings, it will be counted from the ending date of the last proceeding, regardless of the way in which it was concluded.

The Company's records, including the records of the General Meetings that comprise personal data, are kept throughout the period of the Company's existence, and they may then be transmitted to a designated entity that will safekeep the documents.

The retention period in respect to data processed pursuant to consent is indicated in the statement of consent; in each case, when the Company processes data for that purpose, the data will be retained until consent is withdrawn.

7. Does a Shareholder have the right to file a complaint with a regulatory authority for personal data?



Yes, Shareholders may file a complaint with a regulatory authority for personal data. The President of the Office for Personal Data Protection is the supervisory authority for personal data in Poland.

8. As a shareholder, you shall have the right to:

- 1) demand that the Company gives you access to your personal data and the right to rectify your data if they do not reflect the reality; furthermore, in certain cases envisaged by law, you have the right to have your data removed or to restrict the processing of your data.
- 2) file an objection to the processing of data. Your objection will be reviewed by the Company,
- 3) data portability right or the right to receive a copy of the data; however, the right may not have an adverse impact on the rights and freedoms of other people, including trade secrets or intellectual property, and it will be exercised to the extent that it is technically possible. The first copy of data is free of charge. It may be necessary to obtain consent of a given person or fulfil other conditions required under other applicable laws, e.g. banking law, in order to transfer data, depending on the scope of the information requested. Shareholders may send requests for exercising the rights electronically at: info@ing.pl or in writing. Submitting such requests by phone will be acceptable if the Company permits such a process to exercise a given right, while accounting for the requirements to check the Shareholder's identity. The Company may request that you specify the information or the activities to which the request refers in greater detail. While executing the requests to transfer data or receive a copy thereof, the Company transmits the data while informing the recipient of the electronic format or data carrier used.

9. Final provisions

You have the right to withdraw consents or authorisations (if any) concerning personal data processing. Withdrawal of the consent does not affect the Bank's right to process data for the purpose described in the consent before its withdrawal. The Bank may also process data for another purpose based on another legal ground.

You may exercise the rights envisaged under the Regulation on terms and conditions set out in the Regulation and in accordance with other legal provisions.

This notice satisfies the legal obligation. No action is needed on your part.

