

DATA PROTECTION POLICY

Introduction

The purpose of the personal data protection policy of Industrial and Commercial Bank of China (Europe) S.A., Sucursal en España (hereinafter "ICBC") is to inform about the way in which the personal data provided by the user is obtained, processed and protected, as well as that which is obtained through the website: spain.icbc.com.cn.

This policy shall be applicable to personal data provided by ICBC users, as well as any other data that may be generated or become known during the development of the business or contractual relationship.

For this purpose, users shall be deemed to be those who are parties to any type of contract entered into with ICBC.

Identity of the data controller

The information and/or personal data you provide us with, including, where applicable, health data, will be included in a file under the responsibility of:

- **Identity:** Industrial and Commercial Bank of China (Europe) S.A. Sucursal en España, C.I.F., W0182368A.
- **Address:** Paseo de Recoletos nº12, 28001 Madrid
- **E-mail:** protecciondatos@es.icbc.com.cn

Data Protection Officer

You may contact our Data Protection Officer at the following address: protecciondatos@es.icbc.com.cn or at the following postal address: Industrial and Commercial Bank of China (Europe) S.A. Sucursal en España, Paseo de Recoletos nº12,

Category of data that may potentially be collected by ICBC

- **Identification data:** the following category includes name, surname, gender, date of birth, ID card number, user, etc.

- **Contact data:** includes postal address, email, fax and telephone numbers.
- **Financial data:** includes bank account details and data relating to cards, loans, etc.
- **Transactional data:** this category includes data relating to transfers issued and received, as well as products and services purchased by the user.
- **Technical data:** this category includes data relating to the internet protocol (IP) address, login, browser used (including its version), local time and geolocation, as well as information relating to the device used to access the website.
- **Profile data:** includes user, password, interests, preferences, and all information relating to your activity on the website.
- **Navigation data:** includes information relating to the use of the website, products and services contracted by the user.
- **Marketing and communication:** includes preferences relating to marketing communications and mailings where express user approval has been obtained.

ICBC may additionally collect, use and share aggregated data derived from the use of the Website. This type of data includes information relating to statistical and/or demographic data.

Such aggregate data is derived from the user's personal profile, but is not considered personal data, as it does not directly or indirectly reveal the user's identity.

However, where ICBC is able to directly or indirectly identify you by connecting or combining stored personal data with aggregated personal data, ICBC undertakes to treat such aggregated data as personal data and to treat such data as described in this policy.

In relation to **special categories of data**, ICBC undertakes not to collect any personal data.

How does ICBC collect personal information?

ICBC uses the following methods to collect personal information

- **Direct interaction:** When the user provides identity, contact details, financial data through forms, physical visit or correspondence with ICBC by post, email or telephone.
- **Automatic interactions:** When you browse the ICBC website and technical data about your device, browser and other patents is automatically collected.
- **Videorecording in access areas:** ICBC may record access areas to the building and to each floor to ensure the security of property, people and facility.
- **Interaction with third parties (indirect sources):** ICBC may collect personal data through external sources or interaction with third parties. Such data is collected, as described below:

- Technical data:
 - (i) Analytics providers established outside the European Union (e.g. Google or Baidu).
 - (ii) Information search providers established outside the European Union (e.g. Google or Baidu).
- Contact, financial and transactional data from technical, payment and/or service providers, whether or not established within the European Union.
- Identifying and contact details of brokers established or not within the European Union.
- Identifying and contact data from public sources.
- Data obtained through suppliers (e.g. Dow Jones) and external consultations (e.g. Axesor, Informa, etc).

Security

ICBC ensures that access is limited to those employees, agents or third parties who have a business relationship with ICBC and has robust procedures in place for handling incidents related to security breaches.

International Transfer of Data

ICBC may transfer your data, solely for the purposes set out in the section "**Purpose of Processing and Retention**", to other entities within the ICBC Group (www.icbc.com.cn), namely Data Center (Shanghai) of Industrial and Commercial Bank of China Limited, which is located at Number 2005 North Yanggao Road, Pudong, Shanghai (No. 80 West Tainan Road), subsidiaries and affiliates, public authorities, consultants, auditors and third parties with which ICBC has entered into service agreements and which are necessary for the fulfilment of the purposes identified in the section "**Purpose of Processing and Retention of Personal Data**" above.

Likewise, any entity belonging to the ICBC Group (www.icbc.com.cn), subsidiaries and investees, may communicate personal data to any of the aforementioned entities, for the purpose of maintaining a comprehensive and centralised management of the relationship of the data subjects with the different entities of the ICBC Group and that the data subjects may benefit from access to their data from any of them, respecting in all cases the applicable legislation on privacy and data protection.

Within the framework of the communications indicated in the previous paragraph, international transfers of data to third countries may be carried out, in accordance with current data protection regulations. Within the framework of the aforementioned transfers, the appropriate contractual measures shall be adopted to ensure that the third countries importing their data comply with adequate levels of data protection and security.

Credit institutions and other payment service providers, as well as payment systems and related technology service providers to which data are transferred to carry out transactions may be obliged by the law of the State where they operate, or by agreements concluded by it, to provide information on user transactions to the authorities or official bodies of other countries, located both inside and outside the European Union, in the framework of the fight against the financing of terrorism and the prevention of money laundering.

In this context ICBC has implemented the highest levels of security required by law, establishing a level of security similar to that which data would have within the territory of the European Economic Community.

Purpose of the processing of personal data and conservation

The personal data requested will be processed, as the main purpose, for the execution of the contract signed under the terms set out in its general and specific conditions, being considered obligatory and necessary data for the proper performance of the service provision contract.

The personal data provided will be kept for the period of time determined on the basis of the following criteria: (i) legal obligation of conservation; (ii) duration of the contractual relationship and attention of any responsibilities derived from said relationship; and, (iii) request for deletion by the interested party in the cases in which it is appropriate, without there being any other legal obligation that prevents the exercise of this right.

Once the data has ceased to be used, it will be blocked and made available to public administrations, judges and courts for the purpose of determining any possible liabilities that may arise from the execution of the contract.

Likewise, ICBC will process your personal data, based on its own legitimate interest, for purposes other than those mentioned above, as detailed below:

- (i) ICBC may, in the course of its business, transfer your data to other companies in the ICBC group that are currently or in the future related to ICBC, either as part of the ICBC group or as a result of commercial collaboration agreements with ICBC.
- (ii) ICBC may process your data for the purposes of checking the correct application of pre-contractual offers or conditions, user risk control and fraud control. ICBC will request any type of information or consult the Central Risk Information Centre of the Bank of Spain (CIRBE) as well as any other source of information on risks. The holder of the risk declared to CIRBE may

exercise the rights of access, rectification and cancellation under the terms provided for by law, by writing to the Bank of Spain, Calle Alcalá, 50, 28014 Madrid.

ICBC may process and retain the user's personal data in order to prevent fraud in the application of contractual or promotional measures. Personal data will be retained for as long as it is necessary to carry out the appropriate checks, after which it will be deleted.

- (iii) Personal data provided by the user through the communication and customer service channels provided by ICBC will be processed for the purpose of dealing with complaints, suggestions and claims and will be kept for the legally established periods of time, after which they will be deleted.
- (iv) Orders placed by telephone by users, in execution of a current contract signed with ICBC, will be recorded and kept for the duration of the contract and for the period required by regulation, with both parties recognising the evidential value of such recordings in any legal or other proceedings that may arise directly or indirectly between both parties, without prejudice to any other means of proof permitted by law.
- (v) The recording of images in the common areas of access to the building and in the access areas of each floor is obtained with the purpose of guaranteeing the safety of people, property and facilities, being legitimized by the public interest.

Recipients of personal data

The user is hereby informed of the communications and transfers of personal data that ICBC may make:

- (i) Users are hereby informed that in compliance with Royal Decree 304/2014, of 5 May, which approves the Regulations of Law 10/2010, of 28 April, on the prevention of money laundering and the financing of terrorism ICBC is obliged to declare to the Executive Service of the Commission for the Prevention of Money Laundering and Monetary Offences (Servicio Ejecutivo de Prevención de Blanqueo de Capitales e Infracciones Monetarias, SEPBLAC) the opening or closing of any current accounts, savings accounts, securities accounts or time deposits, irrespective of their commercial name. The declaration shall contain, in all cases, the identification details of the holders, beneficial owners, if any, representatives or authorised persons, as well as any other persons with powers of disposal, the date of opening or closure, and the type of account or deposit (the communication does not include balances). This

information will be sent monthly to the Executive Service of the State Secretariat for Economic Affairs and Business Support.

Furthermore, the user is informed that, in compliance with such legislation, ICBC may request documentation of the origin and destination of the funds prior to the execution of transactions, in which case, if the user does not provide such documentation, or if ICBC determines from the analysis of such documentation that it does not comply with its internal policies and procedures, ICBC may not execute the transaction in question. In addition to the above, if you fail to provide ICBC, upon request, with additional information regarding your identity, the source of your income or any other information relating to ICBC's anti-money laundering verification tasks, ICBC will block your account for further transactions and may not execute the transaction in question. In addition to the above, if the user does not provide ICBC, if requested to do so, with additional information about his/her identity, the source of his/her income or any other information relating to the verification tasks assigned to the entity in the prevention of money laundering, ICBC will block the account for further transactions and subsequently cancel the account.

- (ii) ICBC may communicate to the Public Administration and other jurisdictional bodies any personal data that may be required for the proper fulfilment of current regulatory obligations.
- (iii) ICBC, within the framework of its financial activity and in compliance with the legal obligations established for this purpose, may inform the Supervisory and Control Authorities (Bank of Spain, National Securities Market Commission, AEAT, Social Security, Commission de Surveillance du Sector Financier (CSSF), Courts, etc.) of information on the transactions carried out by its users.
- (iv) ICBC may disclose to credit files information relating to non-compliance with the monetary obligations of its users, subject to the requirements and conditions established by law.
- (v) ICBC may disclose user data to service providers and third parties with whom it is contractually bound by a service contract for the sole purpose of formalizing and carrying out the contract entered into between the parties.

Exercise of the rights of the persons concerned

We inform you that you may at any time exercise your rights of access, rectification, erasure, portability, opposition, limitation of processing or to be subject to automated decisions by the Data

Controller, by sending a written communication to the following address: protecciondatos@es.icbc.com.cn.

We remind you that in said communication you must indicate the right you wish to exercise, the data or set of personal data that is the object of your claim (with documents accrediting the request made, if applicable), your contact details (name, surname, address for notification purposes, etc.), and provide valid identity documents of the data subject or person representing him/her (including a document accrediting the representation).

For any queries or complaints regarding the processing of personal data, you may contact our Data Protection Officer at the following address protecciondatos@es.icbc.com.cn

We remind you that in said communication you must indicate the right you wish to exercise, the data or set of personal data subject to your claim (with supporting documents of the request made, if applicable), your contact details (name, surname, address for notification purposes, etc.), and provide a valid identity document of the interested party or person representing him/her (including a document accrediting the representation).

For any queries or complaints regarding the processing of personal data, you may contact our Data Protection Officer at the following e-mail address: protecciondatos@es.icbc.com.cn.

Finally, we inform you that you have the right to lodge a complaint with the Spanish Data Protection Agency (www.agpd.es) as supervisory authority.

DATA PROTECTION RIGHTS	CONTENT	CHANNEL
Information	Request to know how it will be collected, processed and stored and for what purposes.	protecciondatos@es.icbc.com.cn Remember to enclose a copy of your ID card or equivalent document proving your identity with your application.
Access	Request to consult personal data included in ICBC files	
Rectification	Request to modify personal data when it is inaccurate.	
Portability	Possibility to receive, in electronic format, the personal data that has been provided, as well as to transmit it to another entity.	
Erasure	Request for deletion of personal data.	
	Request that personal data not be processed	

Right to object		
Right not to be subject to a decision based solely on automated processing	Request not to be subject to a decision based solely on the processing of your data, including profiling, which produces legal effects on the user.	
Restrict processing	<p>Request for limitation of data processing (only in certain cases):</p> <ul style="list-style-type: none"> -While the accuracy of the data is being checked. -When the processing is unlawful, and there is opposition to the deletion of the data. -Where ICBC does not need to process the data, but the user needs the data for the exercise or defence of claims. -Where there is opposition to the processing of data for the performance of a task carried out in the public interest or for the satisfaction of a legitimate interest, while verifying whether the legitimate grounds for processing prevail. 	