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OPENWEALTH, S.A.U. PRIVACY POLICY

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1. How we process your personal data

To manage your relationship with us, at OpenWealth we will process your personal data for different purposes, always in accordance with the provisions set out in current regulations, respecting your rights and in complete transparency.

To this end, in this **Privacy Policy**, which you may access at any time via www.openwealthcabk.com/politicaprivacidad, you may **view** the full details on **how we will use your data during the relationship we establish with you**.

The main regulations that govern the processing we will perform on your personal data are:

> **Regulation (EU) 2016/679** of the European Parliament and of the Council of 27 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 (hereinafter, the **GDPR**)

> **Organic Law 3/2018** of 5 December on the Protection of Personal Data and guarantee of digital rights (hereinafter, **LOPD**)

This policy is based on the privacy and data protection principles approved by the Board of Directors of CaixaBank, which you can consult on the website <https://www.caixabank.com/es/accionistas-inversores/gobierno-corporativo/documentos-corporativos.html>.

2. Who processes your data

Data controller: The party responsible for the processing of your personal data in your contractual and business relationships with us (hereinafter, "Contractual Relationships") is **OpenWealth, S.A.U.** (hereinafter, "OpenWealth"), with Tax ID No. A-28512655 and registered address at Plaza de Colón, 1, Madrid.

Processing co-controllers: Additionally, for certain types of processing, which we inform you about in detail in our policy, CaixaBank will process your data jointly with other companies, jointly deciding on the purposes ("what the data are used for") and the means used ("how the data are used") and are therefore jointly responsible for such processing.

The processing for which CaixaBank will jointly process your data with other companies is described in detail in Section 6 "What processing do we carry out with your data?".

You will also find the list of companies that process your data, as well as the essential aspects of the processing agreements subject to shared responsibility at: www.caixabank.es/empresasgrupo.

3. Data Protection Officer

OpenWealth and CaixaBank Group companies have appointed a **Data Protection Officer**, who will attend to any questions you may have regarding your personal data processing and exercising your rights.

You may contact the Data Protection Officer to pose your suggestions, consultations, queries or claims, at the following address: www.caixabank.com/delegadoprotecciondedatos.

4. Exercising rights and lodging complaints with the Spanish Data Protection Authority (AEPD)

You may exercise your rights to access, rectify, oppose, delete, limit, transfer your personal data, withdraw your consent and not be subject to automated decisions, in accordance with the law.

You may ask to exercise your rights over the following channels:

- > At the URL: contacto@openwealthcabk.com;
- > by sending a letter addressed to OpenWealth, Plaza de Colón, 1, 28046.

Additionally, if you have any complaint arising from the processing of your data, you may address it to the Spanish Data Protection Agency (www.agpd.es).

5. Processed data

We will use the data specified below for the processing set out in our Privacy Policy.

Not all the data that we specify are used for all data processing activities. In Section 6, where we detail the data processing we do, you can check specifically for each kind of processing the types of data that are used.

The classifications and details of the data used in the processing set out section 6 are as follows:

- > **Data that you have provided when signing your contract or during your relationship with us by means of interview or forms**

These are the types and contents of the data:

- > **Personal and contact data:** full name, sex, postal contact information, telephone number and email address, place of residence, nationality, date of birth, language for communications, identification document and image
- > **Information about your professional or work activity, and socioeconomic data:** professional or work activity, income or remuneration, family unit, education level, assets, and fiscal and tax data
- > **Data on legal capacity:** data on a person's capacity to act, as established by a court ruling
- > **Data on particular communication needs:** the data provided by disabled interested parties to enable accessible communication and operational management
- > **Data observed in the contracting and maintenance of products and services that are marketed to you (our own)**

These are the types and contents of the data:

- > **Contracting data:** contracted or requested products and services, status of the holder, authorised party or representative of the contracted product and service, information on investments made and their evolution and information and movements of financing transactions
- > **Basic financial data:** current and historic balances of products and services and payment history regarding contracted services and products

> **Data on any communication with you:** data obtained in chats, video conferences, telephone calls or any other equivalent means of communication

> **Own browsing data:** If you have accepted the use of cookies and similar technologies on your browsing devices, the data obtained from your browsing through our websites or mobile applications and the browsing you carry out on such sites or applications: browsing history (websites visited and clicks on content), device ID, advertising ID, IP address, should you have accepted the use of cookies and similar technologies on your browsing devices

6. What processing do we carry out with your data?

We carry out different processing tasks on your data for different purposes, and they have different legal bases:

- > Processing necessary for executing Contractual Relationships
- > Processing necessary for compliance with regulatory obligations
- > Processing based on the legitimate interest of OpenWealth

In addition to the general processing that we specify below, we may carry out specific processing not mentioned in this policy arising from requests made by you regarding services. We will provide you with the detailed information on such processing when we handle the specific request.

6.1 PROCESSING NECESSARY FOR EXECUTING CONTRACTUAL RELATIONSHIPS

The legal basis for this data processing is the fact that it is necessary to manage the contracts that you request and to which you are a party, in accordance with Article 6.1.b) of the General Data Protection Regulation (GDPR).

Therefore, these are necessary procedures for you to establish and maintain Contractual Relationships with us. If you were to oppose this, we would end these relationships, or would be unable to establish them if these have not yet taken effect.

The required processing to perform contractual relationships is set out below. We would like to highlight: the description of the purpose (**Purpose**), the type of data processed (**Processed Data Type**), where appropriate, information on the use of profiles (**Use of Profiles**) and any other necessary information related to the processing (**Other Relevant Information**).

Arrangement, maintenance and execution of Contractual Relationships

Purpose: The purpose of this data processing is to arrange and maintain Contractual Relationships that we may establish together, including the processing of requests or mandates, and the establishment of measures to ensure compliance with the contracts you have with us.

This data processing entails collecting the information needed to establish the relationship or manage the

request, know your financial profile and process the required information for proper maintenance and performance of contracts.

The processing operations carried out in the arrangement, maintenance and performance of Contractual Relationships are:

- > Collection and registration of the data and documents needed to contract requested services
- > Formalise the signing of service contracts
- > Manage operations related to services that you have taken out with us, including dealing with your queries, the management of arising incidents and sending operational notifications

Types of data processed: The types of data that we process for this purpose, whose content is detailed in section 5, are the following:

- > Identification and contact data
- > Data about your professional or work activity, and socioeconomic data
- > Data on legal capacity
- > Data on particular communication needs
- > Contracting data
- > Basic financial data
- > Data on any communication with you

Data controller: The data controller is OpenWealth. This processing is not carried out as joint controllers.

6.2 PROCESSING NECESSARY FOR COMPLIANCE WITH REGULATORY OBLIGATIONS

The legal basis for this data processing is the fact that it is necessary to comply with a legal obligation placed on us, in accordance with Article 6.1.c) in the General Data Protection Regulation (GDPR).

Therefore, they are necessary so that you can establish and maintain Contractual Relationships with us. If you do not want us to conduct this processing, we would be required to end these relationships or we would be unable to establish them if these have not yet taken effect.

The data processing operations needed to comply with regulatory obligations are indicated below from (A) to (C). We will point out for each of them: the description of the purpose (**Purpose**), the type of data processed (**Processed Data Type**), where appropriate, information on the use of profiles (**Use of Profiles**) and any other necessary information related to the processing (**Other Relevant Information**).

A. Processing to comply with tax regulations

Purpose: The purpose of this processing is to adopt the measures imposed on our business by Law 58/2003 of 17 December on General Taxation, Royal Decree 1021/2015 of 13 November that establishes the obligation to identify the tax residence of individuals and other current tax regulations.

The processing operations carried out to comply with tax regulations are:

- > Collecting tax-related information and documentation established by tax regulations
- > Notifying the public administration of your tax-related information, when this is established by the regulations or required by the authorities

Types of data processed: The types of data that we process for this purpose, whose content is detailed in section 5, are the following:

- > Identification and contact data
- > Data about your professional or work activity, and socioeconomic data
- > Contracting data
- > Basic financial data

Data controller: The data controller is OpenWealth. This processing is not carried out as joint controllers.

D. Processing to handle complaints and claims.

Purpose: Queries, complaints and claims that are made to OpenWealth.

Act 3/2018 of 5 December on Personal Data Protection and Digital Rights Guarantee obliges the data controller, in this instance OpenWealth, to deal with claims made to its Data Protection Officer, as well as handle rights with regard to data protection that interested parties may exercise.

Processing operations that are carried out to comply with complaints and claims regulations comprise:

- > Receipt of user complaints or claims
- > Responding to the submitted complaint or claim within the set deadline
- > Protecting data protection rights and queries made to the OpenWealth Data Protection Offices, as well as any necessary activities to collaborate with the Supervisory Authority (Spanish Data Protection Agency)

Types of data processed: The types of data that we will process for this purpose are:

- > **Personal and contact data:** full name, gender, postal address, telephone number and email address, place of residence, nationality and date of birth, language for communications, identity document
- > **Contracting data:** contracted or requested services
- > **Basic financial data:** payment history regarding contracted services

Data controller: The data controller is OpenWealth. This processing is not carried out as joint controllers.

C. Processing for compliance with obligations arising from international policies on financial sanctions and countermeasures

Purpose: The aim of this processing is to adopt the measures imposed on our activity in programmes of international financial sanctions and countermeasures adopted by the European Union and the Kingdom of Spain.

In order to comply with international financial sanctions and countermeasures programmes, we will verify whether you are included in lists of persons or entities included in laws, regulations, guidelines, resolutions, programmes or restrictive measures with regard to international financial sanctions and countermeasures, imposed by the United Nations, by the European Union, including the Kingdom of Spain.

Types of data processed: The types of data that we process for this purpose, whose content is detailed in section 5, are the following:

- Identification and contact data
- Data related to international sanctions

Other relevant information: Below, you will find other relevant information on this processing:

- **Sanctions programmes:** OpenWealth consults the international economic and financial sanctions programmes adopted by the Office of Financial Sanctions Implementation (OFSI) of His Majesty's Treasury (HTM) of the UK and the US Department of the Treasury's Office of Foreign Assets Control (OFAC) in accordance with our legitimate interest, as detailed in section 6.4.H.

Processing co-controllers: The following CaixaBank Group companies are joint data controllers of this data processing:

- CaixaBank, S.A.
- CaixaBank Payments & Consumer, E.F.C., E.P., S.A.U.
- VidaCaixa, S.A. de seguros y reaseguros
- Nuevo Micro Bank, S.A.U.
- CaixaBank Asset Management SGIIC, S.A.U.
- CaixaBank Equipment Finance, S.A.U.
- Telefónica Consumer Finance, E.F.C., S.A.
- Buildingcenter, S.A.U.
- Livingcenter Activos Inmobiliarios, S.A.U.
- Puerto Triana, S.A.
- Bankia Habitat, S.L.U.
- Unión de Crédito para la Financiación Mobiliaria e Inmobiliaria, CREDIFIMO, E.F.C., S.A.U.
- Banco BPI, S.A.
- BPI Gestão de Ativos, SGOIC, S.A.
- CaixaBank Wealth Management Luxembourg, S.A.
- CaixaBank Asset Management Luxembourg, S.A.
- OpenWealth, S.A.U.

You can find the essential aspects of the joint processing agreements at www.caixabank.es/empresasgrup.

6.3 PROCESSING BASED ON THE LEGITIMATE INTEREST OF OPENWEALTH

The legal basis for such processing is the fulfilment of the legitimate interests of OpenWealth or of a third party, provided that on those interests do not prevail over your own interests, or your fundamental rights and freedoms, in accordance with the provisions of Article 6.1.f) of the General Data Protection Regulation (GDPR).

The performance of such processing will involve that we will have carried out a weighting between your rights and our legitimate interest in which we will have concluded that the latter prevails. Otherwise, we would not carry out the processing. You can view the analysis of the weighting of the legitimate interest of a processing operation at any time by sending your request to the email address delegado.proteccion.datos@caixabank.com.

We also remind you that you have the right to object to data processing based on legitimate interest. If you believe that OpenWealth and, where applicable, the co-controller companies, should take into account any particular situation or other reasons that may justify us ceasing to process your data, you may request this easily and free of charge through the channels indicated in section 4.

We specify this processing below. We would like to highlight the following: the Legitimate Interest of OpenWealth (**Legitimate Interest of OpenWealth**) the description of the purpose (**Purpose**), the details of the processed data (**Processed data**), where appropriate, information on the use of profiles (**Use of Profiles**), other necessary information related to the processing (**Other relevant information**) and whether or not these processing tasks are carried out under a regime of shared responsibility with other companies of the CaixaBank Group (**Co-controllers / Data controller**).

A. International financial sanctions and countermeasures policies of OFSI and OFAC

Legitimate interest of OpenWealth: The legitimate interest of OpenWealth and the co-controller companies listed in this section in carrying out this processing is to comply with the international financial sanctions and countermeasures programmes of the United States and the United Kingdom, so as to be able to carry out their business activities in those countries.

Purpose: The purpose of this processing is the adoption of the measures laid out in the programmes of international financial sanctions and countermeasures adopted by the Office of Financial Sanctions Implementation (OFSI) of His Majesty's Treasury (HMT) of the UK and the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC).

To comply with these international financial sanctions and countermeasures programmes, we will verify whether you are listed as a person or entity covered by the restrictive measures of these two bodies.

Types of data processed: The types of data that we process for this purpose, whose content is detailed in section 5, are the following:

- Identification and contact data
- Data related to international sanctions

Other relevant information: Below, you will find other relevant information on this processing:

- **Right to object to processing:** If you believe that OpenWealth should take into account a particular situation or other grounds that justify why we should stop performing this data processing, you may request this easily and free of charge through the channels detailed in section 4

Processing co-controllers: The following CaixaBank Group companies are joint data controllers of this data processing:

- CaixaBank, S.A.
- CaixaBank Payments & Consumer, E.F.C., E.P., S.A.U.
- VidaCaixa, S.A. de seguros y reaseguros
- Nuevo Micro Bank, S.A.U.
- CaixaBank Asset Management SGIIC, S.A.U.
- CaixaBank Equipment Finance, S.A.U.
- Telefónica Consumer Finance, E.F.C., S.A.
- Buildingcenter, S.A.U.
- Livingcenter Activos Inmobiliarios, S.A.U.
- Puerto Triana, S.A.
- Bankia Habitat, S.L.U.
- Unión de Crédito para la Financiación Mobiliaria e Inmobiliaria, CREDIFIMO, E.F.C., S.A.U.
- Banco BPI, S.A.
- BPI Gestão de Ativos, SGOIC, S.A.
- CaixaBank Wealth Management Luxembourg, S.A.
- CaixaBank Asset Management Luxembourg, S.A
- OpenWealth, S.A.U.

You can find the essential aspects of the joint processing agreements at www.caixabank.es/empresasgrupo.

7. Data recipients

Controller and joint controller of the data processing

The data we process about you as an OpenWealth customer is processed by OpenWealth. If the processing is carried out under shared responsibility, it is performed by the companies within the CaixaBank Group, in accordance with that which we have explained for each of the processing events.

Data communication in outsourcing services

We sometimes turn to service providers with potential access to personal data.

These providers offer suitable and sufficient guarantees in relation to data processing, since we carry out a responsible selection of service providers that includes specific requirements in the event that the services involve the processing of personal data.

In addition, when we formalise our relations with these providers, we adopt the mechanisms needed to ensure that they comply with the stipulations of the GDPR and LOPD, as well as with the corporate principles of OpenWealth in the area of data protection.

The classification of services that we can outsource to service providers is as follows:

- > Administrative support services

- > Audit and consultancy services
- > Legal services
- > Marketing and advertising services
- > Logistic services
- > IT services (system and information security, cybersecurity, IT systems, architecture, hosting, data processing)
- > Telecommunication services (voice and data)
- > Printing, packaging, mailing and courier services
- > Information storage and destruction services (digital and physical)
- > Maintenance services for buildings, facilities and equipment

8. Data retention periods

Retention to maintain Contractual Relationships

We will process your data while the Contractual Relationships that we have established remain in force.

Retention of the authorisations for processing based on legitimate interest

We will process data based on legitimate interest, until you oppose the processing and this opposition is accepted.

Retention to comply with legal obligations and arrangement, performance and defence of claims

Upon completion of the contractual or business relationship that you have established with us, we will keep your data solely to comply with the legal obligations and to allow for the arrangement, performance and defence of claims during the statute of limitation period relating to the actions arising from contractual relationships.

We will process this data by applying the technical and organisational measures necessary to ensure that they may only be used for such purposes.

Data destruction

We will destroy your data once the retention periods established by the regulations governing the activities of OpenWealth have elapsed, as well as bearing in mind the statute of limitation periods of the

administrative and judicial actions arising from the relationships established between you and us.

9. Data transfers outside of the European Economic Area

At OpenWealth, we process your data within the European Economic Area and, in general, we hire service providers that are also located within the European Economic Area or in countries that have been declared to have an adequate level of protection.

If we need to use service providers that perform processing outside of the European Economic Area or in countries that have not been declared to have an adequate level of protection, we would ensure processing security and legitimacy of your data is guaranteed.

For this, we demand suitable guarantees from those service providers in accordance with what is established in the GDPR so as to ensure they have, for example, implemented binding corporate standards that guarantee data protection in a manner similar to what is established by European regulations, or that they subscribed to the standard clauses applicable within the European Union. You may request a copy of the appropriate guarantees required by OpenWealth from these providers by contacting the Data Protection Delegate at https://www.caixabank.es/particular/general/dpo_es.html.

10. Automated decisions

If in the course of the Contractual Relationships you have with us, we should use mechanisms that may make decisions based solely and exclusively on automated processing (i.e. without the involvement of a person) that could produce legal effects on you, or that could significantly affect you (e.g. by refusing the contracting of a certain product), we will inform you of this in the contractual documentation of the product or service you have requested from us, together with the rationale by virtue of which the decision is made.

Similarly, at that time, we will adopt measures to safeguard your rights and interests providing you with the right to obtain human intervention, to express your point of view and to challenge the decision.

11. Review

We will undertake a review of this Privacy Policy whenever it becomes necessary to ensure you are duly informed, for example, on the occasion of the publication of new regulations or criteria, or the performance of new processing.

Whenever there are significant or important changes to this privacy policy, we will inform you through the usual communication channels.