

## Regulatory Information

This guide sets out important regulatory information about CaixaBank, S.A., UK Branch.

### 1. **Registration details.**

CaixaBank, S.A is incorporated in Spain. CaixaBank, S.A.,UK Branch is registered in England and Wales in Companies House with company N° FC032858 and UK establishment N° BR017941.

Its registered office is at 8th Floor, 63 St. Mary Axe, London EC3A 8AA. In Spain, CaixaBank, S.A. was authorised by the Bank of Spain and is supervised jointly by the Bank of Spain and the European Central Bank. In addition, its UK regulatory activities are subject to supervision by the Prudential Regulation Authority and the Financial Conduct Authority. Details regarding the scope of CaixaBank, S.A.'s regulatory permission given by the Prudential Regulation Authority and Financial Conduct Authority are available online through the FCA's Financial Services Register.

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

In the UK, CaixaBank S.A., UK Branch only offers its services to certain types of corporate customers. We do not deal with individuals or micro-enterprises.

In broad terms, entities which are considered to be "micro-enterprises" for the purposes of the UK regulatory regime (namely customers with both (a) fewer than 10 employees; and (b) either a turnover or annual balance sheet of no more than €2 million) will not be eligible to be a customer of CaixaBank, S.A. UK Branch.

Depending on whether the customer has a parent company, subsidiaries, and/or is otherwise a member of a Group or has links with other entities, it may be possible (for the purpose of establishing whether the customer is a micro-enterprise) to aggregate the figures of the customer regarding balance sheet / turnover / number of employees, with those of linked entities. Such aggregation will be calculated according to the European Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (and any other regulation that amends or replaces this Recommendation). Our customers are required to notify us immediately if their circumstances change and they fall within the definition of a "micro-enterprise".

### 3. **Complaints about our service.**

CaixaBank S.A., UK Branch 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 of CaixaBank S.A., UK Branch, are unhappy about any aspect of the service you have received as a customer of CaixaBank S.A., UK Branch, and wish to make a complaint

- (i) You can visit our Branch and speak to a member of staff, preferably your Relationship Manager at CaixaBank S.A., UK Branch,.
- (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. UK Branch. ("<http://www.caixabank.co.uk>").
  - b. Send a letter to the Complaints Service Department at:

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Complaints Service Department  
CaixaBank, S.A. UK Branch  
8th floor  
63 St. Mary Axe  
London EC3A 8AA

Please provide as much information as possible about your complaint, including:

- A description of your complaint.
- Your account details at CaixaBank S.A., UK Branch,
- 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.

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 if you are not happy with our response to your complaint?

If we reject your complaint we will give you our reasons for doing so. If a customer of CaixaBank S.A., UK Branch in the United Kingdom is eligible to complain to the UK Financial Ombudsman Service, you may refer your claim to the Financial Ombudsman Service if you are dissatisfied with our response leaflet. If you wish to refer your complaint to the Financial Ombudsman Service then you must do so within six months from the date of our final response. The relevant contact details of Financial Ombudsman Service are:

**Phone:** +44 (0)20 7964 1000  
**Fax:** 020 7964 1001  
**Email:** [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)  
**Post:** The Financial Ombudsman Service  
Exchange Tower  
London E14 9SR  
**Website:** [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

#### **4. Anti-Money Laundering, International Sanctions and Tax Information Exchange**

CaixaBank S.A., UK Branch 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 English, 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.

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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, Her 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 documents**

If you are a customer of CaixaBank S.A., UK Branch and have a bank account with the UK Branch, the Terms and Conditions, which form part of the on-boarding documents, in accordance with regulations 40(7) and 63(5) of the Payment Services Regulations 2017 (“PSRs”) (which provide that we and our customers may agree that certain provisions of the PSRs shall not apply) it agreed and this is deemed notice that all of the provisions of Part 6 of the PSRs and regulations 66(1), 67(3) and (4), 75, 77, 79, 80, 83, 91, 92 and 94 of Part 7 of the PSRs shall not apply with respect to any account and any related services and that a different time period shall apply for the purposes of regulation 74(1).

## **6. Compensation Scheme**

We are part of CaixaBank, S.A., which is based in Spain. If we were to fail financially depositors may, depending on their circumstances, be covered by the Financial Services Compensation Scheme.

This means that if CaixaBank is unable to meet its financial obligations, our eligible UK depositors may be entitled to claim up to a maximum limit from the Financial Services Compensation Scheme. The monetary amount guaranteed is applied per depositor – this means that a customer with deposits with CaixaBank in both United Kingdom 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 £85,000 for deposits in Sterling. For further information

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about the Financial Services Compensation Scheme (including the amounts covered and eligibility to claim) please contact CaixaBank, S.A. UK Branch or:

Financial Services Compensation Scheme  
10<sup>th</sup> Floor, Beaufort House  
15 St Botolph Street  
London  
EC3A 7QU

Tel: 0800 678 1100 or 020 7741 4100

Email: [ICT@fscs.org.uk](mailto:ICT@fscs.org.uk)

## **7. How we process your personal data**

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 directors, officers, authorised signatories, other employees, shareholders, beneficial owners and guarantors or grantors, etc. (“Relevant Individuals”).

This privacy notice describes how this personal data is processed by CaixaBank, S.A. (“**CaixaBank**”, “we” or “us”), with NIF A-08663619 and social address at Calle Pintor Sorolla, 2-4 Valencia (Spain). CaixaBank processes this personal data as data controller, through its branch CaixaBank S.A., UK Branch, 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 types of processing, which we inform you about below, 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 of the joint agreements in place please visit: [https://www.caixabank.es/particular/general/tratamiento-de-datos-empresas-del-grupo\\_en.html](https://www.caixabank.es/particular/general/tratamiento-de-datos-empresas-del-grupo_en.html).

### **7.1 Personal data we process**

7.1.1 We obtain the following personal data regarding Relevant Individuals from you as a customer of CaixaBank S.A., 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, postal and 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, insolvency register databases, credit information systems, public databases and the Internet]) or other third parties such as the European Central Bank, Financial Conduct Authority or Bank of England.

7.1.2 Where you provide 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 those Relevant Individuals for us to use that 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.

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

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- 7.2.1 We process personal data in order to enter into, manage and perform the provision of financial services in the scope of the relevant agreement (or to take appropriate precontractual steps) with our customers, being the legal basis the performance of such agreement 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 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.).

- 7.2.2 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 comply with requirements of authorities or other regulatory bodies in accordance with the law; and
- carry out regulatory checks or other work to meet our obligations to any regulatory or tax authority (such as obligations arising from international policies on financial sanctions and countermeasures).

Most of the above processing activities are carried out jointly with other CaixaBank Group companies. For more information in relation to such joint controllership please visit the link provided for at the beginning of this clause / policy.

- 7.2.3 When you apply for a business account or service with us we may, on the lawful basis of our legitimate interest 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 the bank or its customers (which includes checking and communicating with fraud prevention lists and 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 the link provided for at the beginning of this clause / policy.

- 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 countermeasures 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 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

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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 interests, we carry out a balancing test (available upon request) to verify that said legitimate interests are not overridden by the data subject's interests or rights.

Please note that we may also process personal data about 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 be of your interest (so long you have not objected to such communications).

#### 7.4 Recipients of personal data

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 that which we have explained 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 de 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 the terrorism and serious forms of organised crime, and for the prevention of the 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 the appropriate safeguards (e.g. binding corporate rules or standard data protection clauses adopted by the European Commission) are put in place. For further information on such international transfers and the safeguards adopted (including the possibility of obtaining a copy thereof) please contact the Data Protection Officer at [https://www.caixabank.es/particular/general/dpo\\_en.html](https://www.caixabank.es/particular/general/dpo_en.html).

#### 7.6 Personal data retention

We will keep personal data in accordance with 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 defense 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 for processing personal data).

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In order to exercise these rights, notification shall be addressed to in writing to CaixaBank's UK Branch's registered office at 8<sup>th</sup> Floor, 63 St Mary Axe, EC3A 8AA 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 the Information Commissioner's Office ("ICO") in the United Kingdom or the lead supervisory authority of CaixaBank Group, the Agencia Española de Protección de Datos: [www.aepd.es](http://www.aepd.es).

#### 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](https://www.caixabank.es/particular/general/dpo_en.html).