

# PERSONAL DATA PROTECTION

## ADDITIONAL INFORMATION - CUSTOMERS

In compliance with the provisions of the applicable Data Protection laws, consisting of the following two regulations:

- 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 (hereinafter, "GDPR").
- Organic Law 3/2018 of 5 December on Personal Data Protection and guarantee of digital rights (hereinafter, "LOPD").

Ibercaja informs data subjects of the legal conditions under which it will process their personal data, as detailed in the sections below:

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## 1. Who is the controller of your data?

**IBERCAJA BANCO S.A.** (hereinafter, "Ibercaja") Credit institution listed in the Special Register of the Bank of Spain under code 2085.

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## 2. What categories of personal data will Ibercaja process?

In accordance with the provisions of the GDPR and the LOPD, Ibercaja will process your personal data as our customer (or, if not, as a "potential customer"), as set out below.

Since we will not use all your personal data for each and every one of our activities, throughout this document we will inform you of the type of personal data that we will need to process in each case:

Category	Personal details
<b>1. <u>Data obtained when registering as a customer</u></b>	
<b>Identification and contact details</b>	Full name, photograph, sex, residence address, DNI, passport or NIE, date of birth, country of birth, nationality, marital status, email address, landline phone number, mobile phone number.
<b>Signature details</b>	Handwritten, digitised signature.
<b>Details of your professional, occupational and socio-economic activity</b>	Profession, employer company and position, type of contract, date of entry, remuneration, Social Security affiliation number, number of days contributed, family unit or circle, and level of education.
<b>Biometric data</b>	Pressure, speed and stroke of the digital signature on the tablet.
<b>Data on legal capacity and capacity to act, and on special communication needs</b>	Data on a person's legal capacity and ability to act, decreed via court ruling, data provided by data subjects with disabilities to allow access to an intermediary and operational management, and data on the legal representative.

<p><b>Sensitive data related to situations of vulnerability</b></p>	<p>Data relating to personal situations of vulnerability that may require adopting special measures to process contracts and the adoption of measures laid out in Royal Decree-Law 6/2012, on urgent measures to protect mortgage debtors without resources.</p>
<p><b>2. <u>Data obtained initially and over the course of the products and services marketed</u></b></p>	
<p><b>Data on the products and services taken out</b></p>	<p>Number and types of products and services taken out or requested, status as the holder, authorised person or representative of the product or service taken out, limit associated with the products taken out, contract details, direct deposit/debit account, categorisation as per the regulation on securities markets and financial instruments (MiFID category), information on investments made and their trends, and information and activity in financing operations. Where applicable, data on defaults (amount, expiry and age of the debt).</p> <p>Identification codes (username, password) needed for certain products.</p>
<p><b>Basic financial data</b></p>	<p>Current and historical balances of products and services, and payment history of the products and services taken out. Income and expenses, tax details, assets, average account balance, asset balance, direct debited bills, direct deposited income.</p> <p>If you have provided it, Ibercaja will process the Personal Income Tax return.</p> <p>If you have a verified, overdue and payable debt with Ibercaja, additional data may be obtained to process its collection.</p>
<p><b>Third-party data from statements and receipts of instant accounts and payment accounts</b></p>	<p>Information on the notes and transactions that third-party issuers make in their accounts, including the type of operation, the issuer, the amount and the reason shown on the bills and statements of transactions made using debit, credit and prepaid cards.</p>
<p><b>Details of the communications</b></p>	<p>Data obtained in chats, walls, videoconferences, telephone calls or equivalent means such as email, instant messaging, social media, or the conversational interfaces made available, and commercial communications data, including the result thereof, as well as the data you provide us through satisfaction surveys.</p> <p>Data relating to your voice and image will also be processed.</p>
<p><b>Own browsing data</b></p>	<p>The data obtained from your browsing through our websites or mobile applications and your activity therein: browsing history (pages visited and clicks on content), device ID, advertising ID, IP address, if you accepted the use of cookies and similar technologies in browsing devices.</p>

Demographic and socio-economic data	<i>Statistical data not associated with specific people</i> , but rather with geographical areas, age sectors or professional activity sectors, which we will use to relate them to customer information.
Geographical data	The location details of businesses when you use your card, and the geolocation data from your mobile device provided by the installation and/or use of our mobile applications.
Family data	Full name, DNI, passport or NIE, family relationship.
Data included in the aggregation and payment initiation services	If you use our financial aggregation and/or payment initiation services, we will process data on the products and services with other aggregated entities and data from the other categories mentioned with regard to these services.
Commercial data	Commercial profile of the customer (saver, investor) inferred by analysing the use of our services: transactions (card charges, transfers), volume of products taken out, frequency of use of Ibercaja services.
Data on beneficial ownership	Relationship with companies as the beneficial owner.
Contact details of legal entities	If you are the contact person for a legal entity, we will process your identification and contact details, as well as your professional position.
<b>3. <u>Data inferred or deduced from analysing and processing the remaining data</u></b>	
Data obtained from the execution of statistical models	We use the results of applying mathematical models to customer data to fight fraud, deduce your consumer habits, preferred or likely products/services you will use, comply with our regulatory obligations and manage the operations of your products and/or services.
Risk assessment data or scoring	In financing or deferral transactions, we will forecast your capacity to pay or not pay, or the risk limits, by applying statistical mathematical models to your data.

<b>4. <u>Data obtained from external sources</u></b>	
<b>Data from credit information systems</b>	Result of the consultation with credit reporting agencies, which provide information on debts, capital solvency and credit (debtor, creditor, amount due, maturity date of the debt).
<b>Data from fraud prevention systems</b>	Data from fraud prevention information systems: Information on suspicious or unauthorised transactions involving the customer, if any.
<b>Data on your credit rating or score</b>	In financing or deferral operations, we will use the result provided by this system to forecast the probability of default at 12 months, calculated by applying statistical and mathematical models to your DNI, postcode of residence and your data in credit reporting systems.
<b>Data from the General Treasury of the National Social Security Institute</b>	Data obtained from the General Treasury of the Social Security Institute regarding the type of work activity (self-employed or employed) and CNAE.
<b>Data relating to international sanctions</b>	Data on persons or entities included in laws, regulations, guidelines, resolutions, programmes or restrictive measures involving international economic-financial sanctions imposed by the United Nations, the European Union, the Kingdom of Spain, as well as by the Office of Financial Sanctions Implementation (OFSI) of His Majesty's Treasury (HMT) of the United Kingdom, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) and the International Criminal Police Organization (INTERPOL). This information also covers data obtained from sources such as Factiva, and occasionally information regarding occupations and press news that Ibercaja has identified in its internal lists.
<b>Data on properties and vehicles</b>	Data on movable or immovable property obtained from the Land Registry, Property or Commercial Registry, Registry of Movable Property.
<b>Data on directors, functional officers and corporate relationships</b>	Company data taken from the INFORMA databases, the Commercial Register (corporate posts and powers of attorney issued) and the Directorate General of Legal Security and Official Authority.
<b>Information retrieved from publicly accessible sources and records</b>	<p>Data provided by publicly accessible sources, official journals and bulletins, public records to compare the information you have provided us, information from credit information systems in which Ibercaja (BADEXCUG database) participates, as well as information from credit risk systems: CIRBE (Bank of Spain).</p> <p>Additional contact details taken from the INFORMA database, to contact our customers in the event of a breach of contractual obligations.</p> <p>Data obtained from rulings by government agencies, lists of people belonging to professional associations.</p>

<b>Browsing details</b>	The data obtained from your browsing through third-party websites or mobile applications and your activity therein: browsing history (pages visited and clicks on content), device ID, advertising ID and IP address.
<b>Data from social media or the internet</b>	Data from social media or the internet you authorise us to use.

### **3. Where do the data that Ibercaja processes come from?**

In general, we will process information that we have collected directly from you (which will be that contained in the Ibercaja internal databases or sources), although in certain cases we will use data that we obtain from external sources or third-party databases. To help you understand what we mean, the definitions of "internal sources" and "external sources" are provided below:

a. **Data obtained from internal sources:** this refers to personal information that we obtain directly from you, that is, without consulting any file or database managed by a third party. Specifically:

- Personal data you provide when you request any of our products.
- Data you generate when you use our services, whether in our branches, online (on the banking website application) or by phone.
- Data obtained from your browsing on our website or our application, with your authorisation.
- Data that we can infer or deduce about you by analysing the information you have provided.

b. **Data obtained from external sources:** this refers to personal information that we obtain from you through files or databases managed by third parties, which may be public or private entities. These files will be consulted (i) if necessary for the contract we have with you, (ii) if necessary to comply with a legal obligation or (iii) if you have authorised us to do so. Specifically:

- Credit information systems: BADEXCUG database, owned by "Experian Bureau de Crédito, S.A.U."  
(<https://www.experian.es/legal/salir-fichero/tratamiento-datos>)
- Joint credit risk databases: Risk Information Centre, owned by the Bank of Spain.  
(<https://sedeelectronica.bde.es/sede/es/menu/tramites/servicios/ejercicio-de-derechos-en-materia-de-proteccion-de-datos.html>)

- Joint banking sector databases to prevent fraud: IBERPAY database, managed by the "Sociedad Española de Sistemas de Pago, S.A."  
(<https://www.iberpay.es/es/footer/pol%C3%ADtica-de-privacidad/>)
- Joint databases to prevent money laundering: Financial Ownership Database, managed by the Executive Service of the Commission for the Prevention of Money Laundering and Monetary Offences (SEPBLAC).  
(<https://www.seplac.es/es/politica-de-privacidad/>)
- Personal data on your work or economic activity obtained from the General Treasury of the Social Security Institute.  
([https://sede.seg-social.gob.es/wps/portal/sede/sede/Inicio/informacionUtil/SS-Proteccion\\_de\\_datos/](https://sede.seg-social.gob.es/wps/portal/sede/sede/Inicio/informacionUtil/SS-Proteccion_de_datos/))
- Personal data you generated when requesting or using the services of the companies of the Ibercaja Group (hereinafter, "Group companies"), if you authorised it. When you take out any product from an Ibercaja Group company, said company will give you its own data protection information, including information on the transfer of your data to Ibercaja.  
(<https://www.ibercaja.es/gdpr/grupo>)
- Official records (Commercial Register, Property Registry) and Land Registry.  
(<https://www.registradores.org/politica-de-privacidad>)
- Personal data we can infer or deduce about you by analysing the information you have provided and that we obtain from external sources, if you authorised it.
- For the purposes of fraud prevention, external sources to track and locate customer data that have been published in internet forums, social media or on the dark web.

In relation to the above, we would also like to inform you that Ibercaja will use internal and external sources to create profiles about you: one is of a commercial nature, and another to analyse your solvency and credit risk. The two types of profiles we can make are specified below:

- On the one hand, Ibercaja will personalise the commercial communications it sends to you (*only if authorised by you, or when we have a legitimate interest and you do not object*) in accordance with the "commercial profile" it creates with the information it obtains from its internal and/or external sources, as appropriate (*the breakdown of the purposes for the processing, contained in section 4 "[For what purpose and on what grounds does Ibercaja process my personal data?](#)", explains the cases in which we use these sources for commercial purposes*). This way, you will only receive information on products that you may be interested in.

- Ibercaja will use internal and external sources to analyse your creditworthiness and risk when you request financing services. This profiling is essential in order to process your application and provide you with our financing services.

#### **4. For what purpose and on what grounds does Ibercaja process my personal data?**

The GDPR and LOPD state that information about a person (his/her "personal data") can only be processed if specifically allowed by the stipulations contained therein. More specifically, in this regard, Article 6 of the GDPR provides a closed list of the situations that may be present to justify and legitimise the processing of personal data.

The application of any legitimate grounds depends, mainly and essentially, on why and for what purpose the personal data are processed.

Having said this, at Ibercaja we will process your data for the purposes and in accordance with the legitimate bases detailed below.

##### **A. Measures needed to comply with the contract with the customer**

Firstly, Ibercaja is required to carry out certain processes in order to comply with and maintain its contractual and/or business relationship with its customers. In fact, to carry out these processes, there are a series of data that are requested as "compulsory". This is because said data are essential, and failure to provide them would entail being unable to process the customer's request or to provide the service or product requested.

We will detail the processes whose legitimate bases are set out in article 6.1.b) of the GDPR: *"processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract"*.

##### **1. Registration as a customer. Performance, management and maintenance of the contractual and/or business relationship with Ibercaja.**

At Ibercaja, we will process your data as needed to perform, manage and maintain the contractual and/or business relationship we have with you, as well as to send you the various communications that we have to send you for as long as you are a customer.

If the contractual relationship is initiated without your physical presence at a branch (you register online or remotely, what is known as "digital onboarding"), we may require you to record your image to verify your identity. In some cases, over the course of the business relationship that Ibercaja has with you, situations may arise in which it is necessary to record your voice. In these situations - which we will inform you off explicitly and beforehand - we will record and store our telephone conversation with you for a dual purpose: both as a means of evidence for providing our services, and to be able to internally audit the quality of our customer service.

We will also digitise and store your identity document, and view it as necessary using any means on any format or medium, in order to verify your identity when you order an operation or transaction involving one of your contracts with Ibercaja.

Similarly, to formalise certain contracts, Ibercaja will give you the option to sign using your electronic ID (on the banking website, for example) or digitally sign the corresponding documents, in which case Ibercaja will provide you with a *digital tablet* on which you can accept the documents and sign them electronically.

If you choose to sign on the tablet, your biometric data will be stored through your digital signature, which will provide specific biometric information on the stroke, pressure and speed of your signature. This information will be used to authenticate you and verify your identity. However, bear in mind that Ibercaja will, by default, block this information immediately to prevent its processing. We would only use your biometric information to make it available to judges, courts and the Public Prosecutor's Office as part of judicial proceedings in which the authenticity of your signature is questioned.

This signature mechanism is completely voluntary. For this reason, Ibercaja offers you other alternatives. Primarily, the customer has the option to sign the document requested by Ibercaja with their handwritten signature, on paper.

**Additionally, it is important to note that if you direct debit a bill, or you ask us to issue a certificate, or you order a payment or transfer to a political party, trade union, religious institution or healthcare institution, we will not process this information for any other purpose.** We will not process any "*sensitive data*" that may be deduced from your banking operations. If anything, on a merely residual basis, the possibility does exist that we may access these data incidentally, but only in order to verify the source of the funds in your accounts, as required by the Money Laundering Prevention Act, or as a measure to prevent fraud.

Having specified all the above, in order to comply with the contract you have signed with us, we must carry out the following activities:

- Duly formalise your contractual relationship with Ibercaja by signing and processing the relevant contractual documents.
- Do all the paperwork prior to signing the contract: gather the information and documentation required for the contract in question.
- Send the correspondence and communications specific to the operation of the service or product.
- Process and response to any potential enquiries, including handling any incidents involving the product in question.
- Issue and manage our credit and debit cards, thus managing how you use them, both in shops and at ATMs (owned by Ibercaja or other financial institutions, as the case may be). Also, manage the loyalty programmes associated with our debit and credit cards.

- Execute our customers' orders to purchase or sell securities, or order any financial transaction, transfers, payments, and freeze securities.
- In the event of a customer's death, manage their will to verify the identity of the executors, heirs and legatees, verify their inheritance rights and determine to whom and how we must deliver the assets and rights of the deceased.
- If you are going to offer collateral with a mortgage, we will need to use the personal data of the mortgage holder to issue a mortgage report before deciding on the terms under which it is going to be granted.
- Manage and resolve any incidents that occur involving our payment services and methods (transfers, debit entries, cheque clearing, card issuance, POS terminals, card operations, among others).
- If the customer takes out our Digital Banking service and uses the "*My Finances*" service, we will process their data to provide our financial information service, categorising their income and expenses based on various indicators.
- Manage the collection of possible debts. Thus, for this purpose, the processing of any defaults that may occur, including the initial claim, the formal, written and preliminary legal claim (directly or through external agencies), the presentation, if applicable, of a possible legal case, the identification and monitoring of insolvency situations, the review and valuation of dation in payment or cases pursuant to the Code of Good Practice of Royal Decree-Law 6/2012 of 9 March, on urgent measures to protect mortgage debtors without resources.
- Review, assess and, where applicable, manage potential sales of portfolios to third companies, if Ibercaja has transferred its credit rights to them.
- If the customer is a legal entity (a trading company, a Foundation, or an Association, for example), Ibercaja will process the personal data of the individual representing it to verify their powers of representation, the adequacy of their powers, and thus determine whether they are suitable and able to represent and contractually bind the legal entity.

## 2. Analysis of solvency and credit risk in response to financing requests

If you request one of the products or services that Ibercaja offers that involves granting financing, we will need to analyse the information:

- 1) That you provided to us when registering as a customer, or together with your financing request,
- 2) That we obtain after checking with the internal and external databases that are detailed below.

**We must collect and analyse this information as required of us by both the Bank of Spain and the regulation on the solvency of credit and loan companies, to manage and analyse your application, and verify and evaluate your solvency and credit risk** as per the risk criteria that this entity has established.

This processing will be carried out to perform the contract (or pre-contract) that you have requested from us. We will also strictly comply with the applicable regulations on consumer credit, mortgage financing, and other financial sector regulations that Ibercaja, as a Credit Institution, is required to observe. As a result, **Ibercaja will not be able to process your application without conducting this analysis.**

To this end, we will check the information pertaining to you in:

- **Internal sources specific to Ibercaja:** this refers to the information relating to you that has already been saved in Ibercaja databases, such as the products you have with us, your regular or irregular compliance with the conditions to which you committed yourself (for example, the periodic payment of the instalments of a loan), or the outstanding principal due to be repaid or deposited or invested with Ibercaja.
- **External sources:** this refers, first, to duly authorised joint credit information or reporting systems in which Ibercaja participates (specifically, the BADEXCUG database). These databases provide information on whether you owe any money to another entity (financial or not), the age of this debt and the amount.

This analysis of your solvency by consulting external sources also relies on the financial information and the products you have taken out with the Group's companies, whose registered name, type of activity and address are shown on the notice board that is located in every Ibercaja branch and at [www.ibercaja.es/gdpr/grupo](http://www.ibercaja.es/gdpr/grupo).

We will also consult the information about you in the Bank of Spain's Risk Information Centre ("CIRBE"), to find out the total amount you may already have taken out in other loans, credits or guarantees you have signed with other financial institutions. This is because Ibercaja must and has the right to obtain this information in order to analyse the credit risk that would be involved in entering into a contract for any product with you: that is, what possible detrimental consequences Ibercaja would face if it were to grant you financing that could not be repaid.

In summary, the purpose of this processing is to assess whether the customer who requests any type of financing has sufficient financial solvency and capacity to cover the payments to which they are going to commit. This will be analysed when the customer requests the financing, but it will also be carried out continuously for the duration of the loan (if approved) to internally supervise and control the financial and solvency risks assumed, while also trying to avoid possible defaults. To this end, the customer's details (both the financial risk that the customer has assumed with Ibercaja, and possible defaults) will be reported to the Bank of Spain's Risk Information Centre (CIRBE).

*Study of the risk, logic applied and consequences in fully automated processes*

Below, we inform you of the legal regime that applies to the decisions that Ibercaja can take based **exclusively** on fully automated processes.

In order to approve certain products that involve a financing and/or credit risk (such as online loan applications via the website), Ibercaja uses an internal and automated risk assessment system. This system uses a scoring logic that takes into account personal and economic information:

- a) Derived from the information you have provided us involving your professional or business activity, income level, and assets.
- b) Contained in Ibercaja databases and pertaining to your behaviour in other operations (both current and past since your registration as a customer) that you entered into with us, to determine your fulfilment of the conditions of previous loans or debts that you undertook from us and that may have been unpaid, or the amount requested for financing.
- c) Information contained in credit information or reporting systems in which Ibercaja (EXPERIAN) participates, or in credit risk systems (CIRBE), as stated in the previous section.
- d) Information obtained for fraud prevention purposes from the IBERPAY database, managed by the "Sociedad Española de Sistemas de Pago, S.A." (for more information, see section C.6 ["Combating fraud"](#)).

**This processing is particularly important, since the result of the automated analysis of this information may result in the approval or refusal of your application.** In addition, if you gave us your authorisation, we may also send you commercial offers and communications and may even offer you pre-approved loans (as indicated in section D.3 ["Scoring and classification of customers to offer them pre-approved financing"](#)). We will carry out the above based on the conclusions reached regarding your ability to repay the amounts that you may borrow, if any.

In other words, **based on the result of these enquiries, Ibercaja may classify you internally; as a result, it may not approve you for the product you request, or if it does, it may make approval contingent upon your provision of a payment guarantee, all of which is based on the risk that is determined by Ibercaja and the credit score that results from the analysis of this information.**

This processing will be carried out both when you request the financing and then continuously for the duration of the contract by virtue of which Ibercaja grants you financing. This is due to Ibercaja's need to constantly verify that your credit rating (that is, your solvency and credit risk level) has not been harmed since the financing was approved. This monitoring of your solvency level is also necessary to continue to ensure that you can repay the loan, credit or any other type of financing that you have requested. Thus, if your credit worthiness is seriously impaired, Ibercaja may require you to provide an additional guarantee to repay the outstanding principal.

Ibercaja periodically reviews this system to improve its calibration and avoid possible errors or discrepancies.

Finally, if the decision taken by Ibercaja is based solely and exclusively on the automated processing of your data, you will have the right to request the intervention of our agents, express your point of view and challenge the decision based on the automated processing of your data. You can do so through the channels that are described in Section 8, ["What are your rights involving your personal data?"](#).

## B. Processing required by law

Ibercaja will also process your data to comply with its legal obligations, including, among others, those set out in the standards indicated below. This is processing that Ibercaja is legally required to carry out, which determines its legal basis. This is stipulated in Article 6.1.c of the GDPR: *"Processing is necessary for compliance with a legal obligation to which the controller is subject"*.

- Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on **prudential requirements for credit institutions and investment firms** and amending Regulation (EU) No 648/2012.
- Law 58/2003 of 17 December, **General Tax Law**. Compliance with this standard entails collecting tax information and documentation about you, as well as reporting any information about you that has potential tax implications to the competent tax authorities. This is all done in compliance with the applicable tax laws.
- Royal Decree-Law 21/2017 of 29 December, on urgent measures to adapt Spanish law to European Union regulations on the **securities market**.
- **Law 10/2010 of 28 April, on the Prevention of Money Laundering and the Financing of Terrorism**. This law requires us to engage in a series of activities such as complying with due diligence measures when **identifying and learning about our customers**, checking the information they provide to us, **checking whether they hold or have held positions of public responsibility**, categorising their level of risk for the purposes of preventing money laundering and the financing of terrorism, **analysing the operations that are executed through Ibercaja, and verifying their relationship with commercial companies and if they are in a position to control their share capital**. It also requires us to check the Financial Ownership database that is managed by the Executive Service of the Commission for the Prevention of Money Laundering and Monetary Offences (SEPBLAC), and to report any situations of non-compliance as required by this law.
- **Law 44/2002 of 22 November, on Measures to Reform the Financial System, and Law 10/2014 of 26 June, on the Organisation, Supervision and Solvency of Credit Institutions**. Pursuant to these laws, we will report your data, including possible defaults, to banking control and supervisory entities, such as the Risk Information Centre of the Bank of Spain (CIRBE). Similarly, and also in relation to order ECO/73/2004,

Ibercaja is legally required to have a Customer Service (CS) through which to channel and process customer complaints and claims.

- **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 (General Data Protection Regulation).
- **Organic Law 3/2018 of 5 December, on Personal Data Protection and Digital Rights ("LOPD")**, which requires Ibercaja, as the entity legally responsible for processing your personal data, to process any requests, exercise of rights and claims that are made involving data protection.
- **Royal Legislative Decree 4/2015 of 23 October, approving the consolidated text of the Securities Market Law**, which requires companies that provide investment services to record calls and to store electronic communications with investors and customers within the framework of providing these services, as well as to keep a record of all these telephone or electronic communications. In any case, before it starts to record the call, Ibercaja will give you data protection information during the call itself.

Additionally, if these investment services are provided via videoconference platforms, Ibercaja will transcribe the conversation for subsequent confirmation by the customer. Once this transcription is confirmed, it will be incorporated into said record.

Where applicable, the aforementioned records may be transferred, if legally required or for the exercise or defence of claims, to the Bank of Spain, the National Securities and Markets Commission or to a court.

- **Organic Law 8/2007 of 4 July, on financing political parties**, which requires Ibercaja to report annually to the Court of Auditors any donations made by individuals to political parties that have opened a bank account for the purpose of receiving these donations.
- During testamentary proceedings, Ibercaja will carry out any obligations imposed on it by tax laws, which could require it to report to the competent authorities all the personal tax information involved in said proceedings. Ibercaja would also confirm the tax details that justify, as appropriate, the payment of or exemption from the Inheritance and Donations Tax. Similarly, if an individual without the full legal capacity to act is involved in the testamentary proceedings, Ibercaja will verify the powers of attorney of the individual representing them, or who is going to supplement their capacity.

These legal obligations exist and will be satisfied by Ibercaja for as long as we are legally obliged to do so, even after our contractual relationship with you has ended.

### C. Due to Ibercaja's legitimate interest

Ibercaja will do additional processing, detailed below, pursuant to its legitimate interest, as provided for in Article 6.1.f of the GDPR, as it deems that said processing does not harm the right of customers to the protection of their personal data. This provision authorises processing data if "*necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child*".

**For this kind of processing, you have the right to (i) obtain more information on what this "legitimate interest" consists of, (ii) know how Ibercaja came to the conclusion that it does not harm the protection of your personal data, (iii) or directly object to it. You can do so through the channels described in Section 8, "[What are your rights involving your personal data?](#)", indicating the specific processing you are objecting to and the reasons for your objection.**

For all these processes, Ibercaja has carried out what is known as the "**balancing test**". This is an internal analysis to confirm that Ibercaja's legitimate interest does not harm its customers' interests in protecting their personal data. You can get more information on the applicable test by sending a request to the email address [dpo@ibercaja.es](mailto:dpo@ibercaja.es).

#### 1. Personalised commercial actions taken by Ibercaja involving its own products and services. Creation of your "customer profile".

Based on this legitimate interest, **Ibercaja may send you commercial communications on its own products and services**. We will send them by electronic or other means (*by post, telephone, SMS, email or any other electronic or online means available at any time*).

These communications will be tailored to your "customer profile", meaning we will try to adjust them to your interests and needs; to the consumption habits you exhibit in the products you take out with Ibercaja.

For this customisation, Ibercaja will only process the information that is already contained in its own databases. In other words, we will not collect additional information about you from third parties or public sources. We will only use and take into account the data we already have about you: either because you provided them yourself when you took out a product, or because they were generated over the course of your contractual or business relationship with Ibercaja.

In particular, Ibercaja will use the personal data you provide when taking out any of our products: your identification and contact data, information on your economic activity and income level, the specific products you have taken out, the capital owed to or invested with Ibercaja, how you use our services, such as Online Banking, your card purchases and their amount, the transactions you carry out with your bank accounts, as well as any activity involving your deposits, loans or investments.

All of this will allow us to create a profile of you as a customer (whether you prefer to save or invest) so that we can estimate which products may interest you, and under what conditions, and offer you improvements, expansions or modifications to the products you already have with us.

As we have indicated, Ibercaja will process your data based on its legitimate interest. Specifically, the interest pursued by Ibercaja is based on being able to maintain its relationship with you as a customer, by offering you new products or improving the conditions of those you already have, based on your profile as a customer, taking into account the volume of products you have, your financial capacity, how you use our products when carrying out transactions, operations or payments with our cards, and the interest you have shown in other products you have not taken out, or in extending or changing those products you do have.

In this case, Ibercaja has prepared the "balancing test" in order to prove that your privacy is not affected by this processing. Based on the result of this test, Ibercaja has determined that its legitimate interest does not affect your privacy, considering that only data provided previously by you, or that were generated over the course of the contractual relationship, and those that we can infer based on an analysis of this information, are utilised.

In addition to the above, and to support the balancing test, it is necessary to keep in mind that the sending of commercial communications on related products (including the creation of a profile using data provided by the data subject) is an activity that is permitted and limited by the applicable data protection and electronic communications laws, and is interpreted as such by data protection authorities. In fact, this is expressly permitted by Law 34/2002 of 11 July, on Services of the Information Society and Electronic Commerce, as well as in Recital 47 of the GDPR.

Ibercaja will engage in the above for as long as you remain an Ibercaja customer, unless you inform us otherwise by objecting in the way indicated in Section 8, ["What are your rights regarding your personal data?"](#) In this regard, we inform you that when you indicate your objection to receiving these types of messages, we will understand that you object to receiving them by the channel through which you expressed your objection or through the one you expressly indicate to us, and that we can still send them to you via other channels. This is unless you expressly tell us that you wish to stop receiving these communications through all the communication channels that are available between us.

## 2. Transfer of personal data to Group companies for administrative purposes

Companies of the Ibercaja Group will be able to access your data in order to carry out internal administrative, accounting, control, verification, management and reporting tasks, as permitted by the GDPR. Ibercaja may also collect your data from said Group companies for the sole purpose of carrying out these internal administrative tasks.

In this case, Ibercaja understands that it has a legitimate interest to carry out this processing, since the purpose for using the data only refers to internal administrative matters: track the

evolution of the Group's business, comply with legal obligations regarding the account keeping at these companies, assess possible operational or regulatory compliance deviations and establish the corresponding corrective actions, have the relevant department process any possible claims or complaints filed by the customer with the bank or any other entity in its group, and provide a response to the customer's request. These are purely administrative and internal - and not commercial - interests intended to guarantee that Ibercaja carries out its activity under the highest quality conditions and in compliance with the law.

As a result of the "balancing test" done by Ibercaja, we understand that our legitimate interest does not affect the privacy of the customer, considering how the data will only be used for these internal purposes, and not for commercial purposes. Moreover, the GDPR expressly provides for this in Recital 48.

### 3. Maintaining the relationship with the contact persons of a legal entity

When the customer is a legal entity, Ibercaja will process the identifying and contact data of its contact persons, as well as their position at the entity, in order to satisfy the legitimate interest that it has to stay in contact with it for the duration of the contract. This is permitted by Article 19.1.b of the LOPD.

### 4. Reporting potential defaults to credit information systems

In the event of a possible default by a customer (of a verified, overdue and enforceable debt) involving financed asset products, we will inform the duly authorised Credit Information Systems in which Ibercaja participates. More specifically, the BADEXCUG database (owned by "Experian Bureau de Crédito, S.A.U.", Apartado de Correos 1.188 - 28108 Alcobendas (Madrid), [badexcug@experian.com](mailto:badexcug@experian.com)). This processing will fully comply with the provisions of Organic Law 3/2018 on the Protection of Personal Data, in relation to credit information systems.

The information that will be provided to these systems will be the customer's identification data and data relating to the default (age and amount of the debt).

Ibercaja will do the above based on its legitimate interest to protect the integrity and stability of the financial and banking system, and not to grant financing to a person who has demonstrated that they cannot - or do not intend to - comply with their obligations to repay a loan or to make periodic payments. This interest is not only Ibercaja's, but that of other third parties (other banks, consumer finance institutions and, in general, companies that allow the customer to defer payment for a product) from whom the data subject may request financing, and that thus need to assess the customer's creditworthiness.

To confirm the origin of said legitimate interest, Ibercaja has carried out the appropriate balancing test, as a result of which it has concluded that your privacy is not affected, since this information will only be provided to these Systems (1) when there is indeed a debt that is unpaid and owed, (2) after making a request for payment to settle the debt and (3) you have been

specifically informed in advance of the system in which Ibercaja participates and in which the debt is going to be recorded.

It is also important to consider that the transfer of data to these databases is an activity allowed and regulated by the applicable data protection laws, and specifically in Article 20 of the LOPD.

#### 5. Preparation of internal commercial documents, studies and analyses using general (aggregated) and pseudonymised data. Preliminary "pseudonymisation or aggregation" process.

At Ibercaja, we want to improve continuously by adapting the products and services we offer and make available to our customers, to reflect their general preferences and tastes. The same is true of the way we cater to our customers, since we want to know if they are truly satisfied with the service they receive from us.

To this end, we will process the data associated with the use of the products and services you have taken out, as well as your relationship with us, to prepare a series of internal documents, analyses and studies that are of great commercial value to Ibercaja.

**However, these documents, studies and analyses will be conducted using the information we have about you, but after applying a pseudonymisation or aggregation process. The result is that we will not use the personal information that Ibercaja has about you, but the information resulting from that pseudonymisation and aggregation process; information that will thus be general for our customers as a whole, aggregated, anonymous and non-personalised.**

**The resulting information will thus not identify you or refer to you directly (even if Ibercaja still has information regarding you that would allow us to reidentify you). However, the purpose of the processing is to be able to use this pseudonymised and general information in accordance with the purposes set out below.** This pseudonymisation process implies that the general information obtained from customers will be processed in accordance with all the guarantees and limitations imposed by data protection laws.

Once this preliminary pseudonymisation process is complete, we will obtain information on the general behaviour of our customers (volume of products taken out, capital owed to or deposited in Ibercaja, operations carried out, such as bank transfers, direct debits/payments, periodic loan payments, use of online banking, and others).

Once all this information is analysed internally, we will adopt internal and strategic commercial decisions involving our products, the conditions for marketing and contracting them, and how to provide our services to our customers. This processing allows Ibercaja to continuously improve its economic activity by identifying and anticipating the needs that our customers may have, and creating new products or modifying the conditions of those we already have, to increase the probability that customers will use them.

The documents we are referring to are as follows:

- (i) Market studies that allow us to determine and estimate the most common commercial preferences of customers (for example, if, due to their assets and age range, they might be interested in a "typical customer" mortgage to acquire their first home).
- (ii) Internal statistics that allow us to determine which products our customers use most, how often they take them out and/or use them (see online banking) and how satisfied they are with the products they have.
- (iii) Commercial reports on what products and services to develop, how to modify their conditions, what potential products might have the highest take-up rate and which should be removed from the Ibercaja portfolio.
- (iv) Models for the general behaviour of our customers, segmented by age ranges, economic capacity, work or business activity, which allow us to determine the risk assumed when granting financing to a customer, and to adjust the conditions of the service based on this estimate.
- (v) Credit risk models and creation of mathematical models to analyse and assess the risk of the operations requested.

Ibercaja will carry out the above based on the company's legitimate interest in improving its activity and financial profits, in growing within the banking sector and in providing a service that customers view positively and proactively. In practical terms, it allows us to offer a financing product with a series of conditions that take into account, and that can best be adapted to, the customer's personal circumstances (age range, economic capacity). It also allows us to determine how satisfied customers are with our products and service, as a financial institution, and to be able to anticipate what risks we can assume when granting financing to a specific type of customer, depending on their personal and economic circumstances.

In accordance with data protection laws, and to confirm the basis of this legitimate interest, Ibercaja has prepared the appropriate "balancing test".

As a result of the above, Ibercaja understands that this processing does not affect the privacy of the customer, since the minimum and essential data will be processed to meet the objective of improving our economic activity and providing a service that is more appreciated by the customer. Moreover, the documents referred to above will be prepared using pseudonymised and aggregated data.

## 6. Combatting fraud

With the aim of protecting the interests of all our customers, Ibercaja may process your data in order to prevent and identify potential cases of fraud (such as improper access to your personal information, possible identity theft or any situation that may be interpreted as fraudulent or

unwanted use). Given that most fraud is committed online, your IP address is one of the pieces of data that could be processed.

### *6.1 Fraud prevention, detection and control*

If we detect any fraud attempt that affects your personal data, we will, unless prevented by a circumstance of public interest or some other legal reason, inform you about it, review the available information and, if applicable, we will ask you to collaborate and provide additional information. Similarly, for security reasons and until we conduct the relevant checks, we may stop any decision involving your personal data.

Similarly, if any fraud attempt is identified that could affect your contractual relationship with Ibercaja (for example, attempts to steal your identity), the appropriate measures will be taken to protect you as a customer and to comply with and adhere to the procedures, rights and guarantees provided by the applicable laws. If other financial institutions are involved, we may be required to keep them duly informed.

To comply with the above, Ibercaja analyses the payment operations carried out by customers (money transfers, use of Bizum and card payments) in order to identify possible indications of fraudulent actions that need to be investigated and, if applicable, reported to the competent authorities and to the victim of the fraud. This processing may entail logging the user out and impeding access to the user's electronic banking account for security reasons until the incidents identified as potential acts of fraud are resolved.

In addition to the above, Ibercaja will also analyse your behaviour when you use your online account, whether through the application or the website, to detect any unusual activity in your usual operations that we can objectively interpret as attempted fraud (mainly the speed with which several transfers are attempted, an abnormally high volume of operations in a short period of time, or successive attempts to log in). In addition, in relation to the use of our mobile applications, in order to help identify unauthorised use, Ibercaja will identify the applications installed on your mobile device to make sure there are no fraudulent applications that could jeopardise the products you have with Ibercaja.

We will act in the same way if we receive any information or indication that allows us to assume that your banking information (your checking account number, your login credentials, or the number, CVV, PIN or expiry date of your cards) is being or has been used fraudulently in environments not belonging to Ibercaja, such as forums, social media, or even in what is known as the dark web. In these cases, we would take the necessary steps to delete and block your data that may have been compromised and to avoid its possible fraudulent use, which, if necessary, could include reporting the case to the relevant law enforcement agencies, the tax ministry or the courts.

This processing will be done (i) in defence of the legitimate interests of Ibercaja, as a banking service provider, and of our customers, (ii) to protect the stability and integrity of the financial system and (iii) to guarantee the security and confidentiality of your banking details, in an effort to protect your assets against the illegal use of your data.

### *6.2 Exchange of personal data in joint fraud prevention databases*

In certain circumstances, we will transfer your data to a database for the prevention of fraud in banking operations managed by the "Sociedad Española de Sistemas De Pago S.A." (Iberpay), which is used to detect, investigate, control and possibly report any suspicious and fraudulent transactions involving your checking or savings account. In this database, member entities act as joint controllers of your data, meaning you can contact any of them to request more information on how we use them, to file a claim or to request to exercise your rights. You can also request access to the essential aspects of the joint controller agreement.

To see what companies are associated with this database, go to <https://www.iberpay.es/Secciones/04MasServicios/Paginas/PrevencionFraude.aspx>.

The data that may be included in the aforementioned database will be those relating to your identification (NIF, full name) and the IBAN number of the account where the suspicious or fraudulent operation was detected, if applicable. These data may be accessible to the financial institutions associated with this database for the sole purpose of detecting, preventing and controlling fraud.

The legal basis for this processing is Ibercaja's legitimate interest in detecting and preventing fraud in bank operations that in any way involve its savings accounts. This processing is also in the interest of the account holders who may be affected by possible fraud committed by third parties.

### *6.3 Anonymisation and aggregation of information involving attempted fraud for subsequent internal and statistical use*

Ibercaja will also anonymise and aggregate the information obtained from the above processing in order to prepare aggregated (non-individualised) and statistical internal reports on fraud attempts involving our customers' products. Thus, the anonymisation and aggregation of this information means that, once these statistical reports are prepared, neither their findings nor the data on which they are based will refer to any specific customer.

This specific processing will also be carried out for Ibercaja's legitimate interest, and consists of monitoring and knowing at all times how its services may be being used to conduct fraudulent activities, to the detriment of its customers, so that Ibercaja can take measures intended to identify, prevent and respond to said activities.

### *6.4 Balancing test to prevent fraud*

In relation to the above processing in this Section 6 "[Combating fraud](#)", Ibercaja has prepared a "balancing test" to evaluate both the processing that is done internally by Ibercaja to prevent fraud, and the sharing of data with this same objective. As a result of this test, Ibercaja concludes that its legitimate interest does not harm the privacy of its customers, since, in order to comply with the specified purpose, (i) it will process the minimum amount of data needed to investigate, identify and, where applicable, prevent or correct a fraudulent activity, as well as to protect the legitimate interests of third parties that may be affected by the fraud, (ii) this is an interest pursued by both Ibercaja and the other financial institutions that may be harmed by the

fraudulent activity, which requires sharing personal data related to the parties that attempted or managed to execute a fraudulent operation to the detriment of the interests of these entities.

Similarly, (iii) the protection of the banking system against fraud is a legitimate activity recognised by the market, (iv) only the personal data that are strictly necessary in relation to the fraudulent (or attempted) operation will be analysed and exchanged and (v) the data protection laws themselves specify fraud prevention as providing a legitimate interest, pursuant to Recital 47 of the GDPR.

## 7. Location of the customer in the event of default situations: additional and updated contact details and search and location of goods

In the event of a potential default by a customer, and if Ibercaja were unable to contact them through the means previously provided by them (address, email and phone number), Ibercaja may obtain additional information to contact them, and thus notify them of the existence of the debt and proceed to collect it. Specifically, these data may be related to other addresses, emails or telephone numbers that are exclusive to the customer.

Additional data will only be obtained, as a last measure, if it is impossible to contact the customer who is in debt to Ibercaja. For these purposes, these data will be collected from publicly accessible sources and through debt collection agencies. Ibercaja guarantees that the data collected will comply with the principles of quality, accuracy, legality and transparency.

Similarly, in the event of a default by a customer, and if it is not possible to collect it through the usual channels, Ibercaja will search for and locate goods - movable or immovable property - owned by the data subject in order to demand its sale, transfer or payment in kind as a way to settle the debt, in whole or in part.

In this case, Ibercaja's legitimate interest lies in the legitimate need to recover the debt in a default situation by obtaining contact details in addition to those provided by the customer at the time, which would have been outdated, and where applicable, to locate assets owned by the data subject in an effort to settle the debt. For this reason, Ibercaja has drawn up a "balancing test", from which it concludes that this legitimate interest does not harm the privacy of the customer, taking into account that (i) this processing will only be carried out if it is impossible to contact the customer by any of the methods provided to us, (ii) only contact details for the parties involved in the contract associated with the debt will be collected, and (iii) the purpose is limited to allowing contact in order to settle the debt dispute amicably.

In the same vein, regarding the search and location of goods owned by the data subject, Ibercaja understands that it has a legitimate interest based on the need to have up-to-date information on the goods and assets in the name of a debtor that can be sold in order to settle a debt, and thus guarantee the fulfilment of the financing contract between Ibercaja and the customer.

## 8. Recording of calls not compulsory

Ibercaja will process the data relating to your voice when you have telephone conversations with us, by recording the calls you place to or receive from Ibercaja. In any case, any time we record our calls with you, we will inform you beforehand by stating so at the beginning of the call.

Our purpose for recording the calls is to determine how we dealt with your request or claim, as well as to internally audit the quality of the service provided (for example, by our Customer Service Helpline), taking into account, mainly, that your request or claim was duly dealt with, satisfied or processed.

In this case, Ibercaja has also conducted a "balancing test", which led it to conclude that this legitimate interest does not harm your privacy, since (i) you will be informed prior to the recording of calls so that you can interrupt this call at any time before the recording begins, and ask your enquiry via other means (e.g., email), (ii) the purpose pursued is to be able to have evidence of the conversation and assess the service we provided to you, if you are satisfied with it, and how we can improve this service in the future.

In this case, we will process the following personal data: full name, telephone number, voice, as well as the details you provide to process the request in question.

## 9. Conducting surveys and organising contests or prize draws

Ibercaja may process your personal data to send you surveys so that you can give us your opinion on the quality of the communications sent to you by Ibercaja, on how you are treated by Ibercaja, as well as on the products you have with us or that you would be interested in taking out. We will send you these surveys by the usual means of contact (email, telephone), although you can also take other surveys on our banking website or even at our ATMs.

In other cases, we may send you an invitation to enter certain contests or prize draws that we organise. These contests may be general (for all our customers), individual (for a certain age group), or only for those customers who meet a series of conditions.

Ibercaja will process your data for these activities based on our legitimate interest. Our aim is to improve our relationship with you by analysing your opinions of our services and taking decisions based on the view our customers have of us. We are also interested in making certain services available to you that may be beneficial to you.

Ibercaja has also conducted a balancing test for this processing. As a result of this test, we believe that the processing does not affect your right to privacy, since (i) in the case of the surveys, completion is voluntary and there is no harm to you should you choose not to do so, (ii) in the case of contests and prize draws, your data will only be processed if you want to register in them to receive special benefits and promotions, and you are under no obligation to participate in any case. In other words, in general, this processing of your data will depend on your decision to take part in the surveys, contests or prize draws. It is also important to bear in

mind that if you request to opt out of receiving commercial communications, you will not receive notifications about surveys, contests or prize draws.

In any case, the specific terms applicable to the prize draw or contest will be those specified and indicated in its corresponding legal terms, of which the customer will be duly informed before they decide to participate or register.

Specifically, we will process the following personal data on customers: full name, contact details (email address, telephone number), the opinion you provide in the survey, details regarding your participation in the contest or prize draw. If you win a prize, we will process the data on your home address to send you the prize in question. If, for reasons of transparency, we were to disclose a photograph of the winner of the contest, or winner of the prize draw, we would expressly indicate this on the registration form itself.

#### D. Processing based on consent

**Certain processing that Ibercaja is interested in carrying out depends on your prior authorisation.** This is the processing whose legitimate basis is that set forth in Article 6.1.a of the GDPR, and which Ibercaja can only carry out if "*the data subject has given consent to the processing of his or her personal data for one or more specific purposes*".

Thus, the provisions of the points below depend on whether you have given us your authorisation. If we never asked for your consent for this processing, or if you refused it at the time (or gave it, but later withdrew it), this processing does not apply to you.

You should also know that **if you authorised Ibercaja to use your data for one of the following types of processing, you can always withdraw your consent when you deem it appropriate. This will not in any way impede or harm your status as an Ibercaja customer, or any contracts you may enter into, or have already signed, with us.** However, you should know that withdrawing your authorisation will take effect from that moment on; it is not retroactive, so it will not affect the validity of any processing done by Ibercaja before that time.

##### 1. Personalised commercial actions taken by Ibercaja involving its products and those marketed by its Group companies, the Ibercaja Banking Foundation and partner companies

In compliance with the requirements of data protection regulations, Ibercaja will request your consent to send you by electronic or other means (*by post, telephone, SMS, email or any other electronic or electronic means available at any time*) commercial communications.

These communications will be customised based on your consumer habits and preferences, meaning you will only receive information on products that you may be most interested in.

To personalise these communications, Ibercaja will take into account the "commercial profile" referred to in section C.1 ["Personalised commercial actions by Ibercaja involving its own products](#)

[and services. Creation of your customer profile](#)", using the information available about you in our own internal sources and databases, as well as information we obtain from third parties.

In this case, when we say external sources, we are specifically referring to financial information and the products you have taken out with Group companies, whose registered name, type of activity and address are shown on the notice board that is located in every Ibercaja branch and at <https://www.ibercaja.es/gdpr/grupo>.

Additionally, for this personalisation of the communications sent to you by Ibercaja, we will process the data obtained from your browsing when you accept the use of cookies on our websites; in particular, when you authorise (via the cookie settings panel) the so-called "analytical and behavioural advertising cookies" on your device, which we use to enhance your customer profile with the behavioural patterns that we identify from your browsing of the Ibercaja website. In this case, we will process your IP address, and information on your participation and interaction with the contents offered on the Ibercaja website.

Ibercaja's goal in sending you commercial communications in accordance with your commercial profile is for you to receive information that may be of interest to you, according to your consumer habits and preferences, on offers related to:

- (a) Financial and non-financial products and services offered by Ibercaja (including the insurance policies it markets), its Group companies or the Ibercaja Banking Foundation.
- (b) Products and services marketed by Ibercaja's partner companies related to the sectors of activity described in <https://www.ibercaja.es/gdpr/sectores>.

To this end, Ibercaja has created two separate consent requests, so that you can freely choose what type of commercial communications you want to receive (only those related to the products described in point (a), those related to point (b), or both, if you wish).

## 2. Transfer of personal data to Group companies, the Ibercaja Banking Foundation and partner companies for commercial purposes

If you expressly authorise us, Ibercaja will share your personal data with the companies in its Group, with the Ibercaja Banking Foundation, as well as with partner companies, so they can send you, by electronic or other means (*by post, telephone, SMS, email or any other electronic or online means available*) commercial communications on their products and services.

The communications sent to you (*whether by the Group companies, the Ibercaja Banking Foundation or our partner companies*) will be tailored to your "commercial profile". That is, Ibercaja will share with these companies your identifying and contact data, as well as certain aspects of your "customer profile" described in section C.1 ["Personalised commercial actions by Ibercaja involving its own products and services. Creation of your customer profile"](#), in keeping with the specific purpose of the agreement signed by Ibercaja with the Group companies, the Ibercaja Banking Foundation and the external partner companies.

The main purpose of transferring your personal data is so that external companies can send you offers based on your "commercial profile" on the products and services they sell that may be of interest to you. Specifically, Ibercaja will ask you for your consent to transfer your personal data for the following purposes:

- (a) Share your personal data with the companies in its Group and with the Ibercaja Banking Foundation, so they can send you offers directly on their products and services that are tailored to your "commercial profile". The name, type of activity and address of the Group companies are shown on the notice board that is located in every Ibercaja branch and at <https://www.ibercaja.es/gdpr/grupo>
- (b) Share your personal data with third parties with which Ibercaja has collaboration agreements so you can receive information that is tailored to your "commercial profile" on the products and services they market. Ibercaja's partner companies are related to the sectors of activity described in <https://www.ibercaja.es/gdpr/sectores>.

To this end, Ibercaja has created two separate consent requests so you can freely choose if you want to transfer your data to the companies of its Group and the Ibercaja Banking Foundation, or share your data with external companies, or both at the same time, if you wish.

### 3. Scoring and classification of customers to offer them "Pre-approved Financing"

Provided you have given your consent, Ibercaja will take the initiative to offer you pre-approved financing. In other words, we will offer you financing, considering your financial circumstances and credit worthiness, so that, if you are interested, you only have to accept it, with no further processing or verification by us.

Ibercaja will take this action (if you authorise it, as previously noted) considering the following:

1. **As a first step**, and in order to be able to offer this *pre-approved financing*, even if you have not formally requested any financing, **Ibercaja will take the initiative and analyse your credit worthiness and financial capacity**. It will do so by taking into account the personal information that Ibercaja already has about you, such as the data you provided when you took out any product, how well you comply with your obligations (*if you had any defaults or if, by contrast, you make all your payments on time*), or the assets you have at Ibercaja (*bank deposits and balances in your current accounts, for example*).

This credit worthiness and financial risk analysis will also involve (i) consulting the so-called "Credit Information Systems" or credit worthiness databases, or (ii) the reuse for this purpose of the data we have about you from previous consultations, to determine whether a specific product is suitable for you based on your financial and economic capacity.

We will do these checks to determine if there is a risk in offering you pre-approved financing. This way, we will not only be ensuring the stability of the financial system (while

also complying with the various regulatory requirements that apply to us by virtue of being a financial institution), but we will also be seeking to offer you something that does not harm you; we will only offer you financing that you can afford, that is commensurate with and proportional to your financial situation and ability to repay.

2. Secondly, and based on the assessment of your solvency and capacity, **this processing also involves the creation of a commercial profile**, which will allow us to determine which of our products or services may, in theory, interest you most. We will try to deduce this by analysing your behaviour and habits when you use our services, your commercial preferences taking into account other products you have requested from us before, or the frequency of your financing requests, as well as the capital you have invested or deposited with us, or the financing you have requested.

More specifically, and by way of example, if you use our services or products at specific times, Ibercaja will estimate what your possible future needs or interests may be (for example: issue financing to purchase a home or car). With this result, we will offer you financing whose risk conditions (amount and repayment period) are in accordance with your estimated preferences and your personal and financial situation.

Under no circumstances will sensitive data - such as payment to a trade union or religious organisation - be processed for this purpose.

In keeping with the above, the logic behind this processing consists of assigning you a score based on your credit worthiness by using both the analysis of your credit worthiness and your commercial profile. This classification will be done using the scoring technique, which assigns you a risk classification to grant you financing based on your financial capacity, your capital level and your product history at Ibercaja.

The creation of this profile, which we insist will only be done if previously authorised by you, means that Ibercaja can take the initiative to offer you a pre-approved and authorised financial product that already takes into account your personal and financial situation and your possible preferences. This way, it will not be necessary to reassess your credit worthiness if you request the pre-approved product that Ibercaja offers you.

#### 4. Other additional processing. Cookies. Push notifications about advertising campaigns and economic-financial information

On the one hand, and as we have already indicated, when you browse our website or use our application, we will process personal data obtained from online identifiers or cookies. We will do so if you authorise it when installing the app or setting up your device. For more information, please see our Cookie Policy.

On the other hand, if you expressly authorise it, Ibercaja will also use your personal data to send you instant - or "push" - notifications to your mobile device, depending on your previous consent:

- **Advertising campaigns:** we will send you push notifications to inform you about promotions and advertising campaigns we engage in involving our products and services.
- **Economic-financial information:** we will send you push notifications to provide instant alerts with economic-financial information related to the products you have with us.

In order for Ibercaja to send you these instant notifications, you will have to configure the necessary settings on your mobile device and the application itself so that you can receive them.

## 5. Verification of economic activity to comply with anti-money laundering and counter-terrorist financing regulations

The applicable Anti-Money Laundering and Counter-Terrorist Financing regulations require Ibercaja, as a financial institution, to obtain information on its clients' economic activity and to verify its accuracy.

If you give us your consent, we will verify the economic activity you have provided by consulting the General Treasury of the Social Security. If you do not give your consent, we may periodically request documentation from you that justifies the activity you have declared. Opting to use one system or the other will not harm your relationship with Ibercaja in any way.

For this purpose, and provided that you have given your prior consent, Ibercaja will process your identification data and the data obtained from the General Treasury of the Social Security involving the type of employment activity (self-employed or employed) and CNAE. The data obtained from the General Treasury of the Social Security will be used exclusively to verify the information you have provided to Ibercaja regarding your economic activity.

### E. Data processing based on a public interest

Ibercaja will also carry out certain processing activities to comply with a mission that is in the public interest, as stipulated in Article 6.1.e of the GDPR, "*The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*", and shall in any case comply with the provisions of Article 8.2 of the LOPD, pursuant to which the processing activity must be expressly permitted or enabled by a norm equivalent to a law.

In particular, within the framework of its relationships with its customers, Ibercaja keeps a list of people with public responsibility. The authorisation for this processing of personal data based on a public interest is expressly provided for in Article 15 of Law 10/2010 on the Prevention of Money Laundering and the Financing of Terrorism.

A person with a public responsibility is defined in Article 14.2 of the law indicated in the previous paragraph; for example, those who hold or have held the post of Head of State, Head of Government, ministers or other members of Government, secretaries of state or deputy secretaries; members of parliament; justices of a supreme or constitutional court, including

equivalent officials of the Public Prosecutor's Office; ambassadors and chargés d'affaires or senior military officers.

The reason for creating this list is to verify whether a customer or potential customer is in a position of public responsibility and, if so, to apply the corresponding measures in accordance with the laws on the prevention of money laundering, as indicated in section B ["Processing required by law"](#).

#### **5. How long will we store your data?**

Ibercaja will process the personal data of its customers (and potential customers) for as long as they are needed for the purpose for which they were provided.

Subsequently, Ibercaja will store your personal data, duly blocked, before deleting it, to comply with any legal obligations that may be required of it during the periods imposed in each case by the applicable regulations, and to handle any potential complaints and make them available to the competent authorities, during the statutory limitation periods. In these cases, Ibercaja will adopt the technical and organisational measures needed to guarantee that they are only used for this purpose.

#### **6. To what recipients will your data be disclosed?**

Your personal data may be disclosed to the following third parties:

- Those third parties that may formally request them and to which we are legally required to provide them. These parties include official institutions, officials and bodies, such as the Bank of Spain, the National Securities Market Commission (CNMV), bank supervisory and control entities, the Centralised Banking Account Register, the tax agency, the Treasury of the Social Security Institute, courts, and law enforcement agencies.
- As we have already indicated, if the customer takes out any product or service from Ibercaja that involves the granting of financing, their details will be provided to the Bank of Spain's Risk Information Centre (CIRBE). This is a public service managed by the Bank of Spain whose purpose is to gather information from financial institutions on the credit risks assumed by their customers (regardless of whether they are repaid or not). Find more information at: <https://cliente bancario.bde.es/pcb/es/menu-horizontal/productosservici/relacionados/cirbe/>
- Any default will be reported to:
  - (i) Credit information systems: BADEXCUG database, owned by "Experian Bureau de Crédito, S.A.U.", which we are authorised to do by the applicable laws.
  - (II) CIRBE, in compliance at all times with the procedures, rights and guarantees established and recognised by the applicable laws.

In these cases, and in addition to those indicated in Section 8 [\*"What are your rights regarding your personal data?"\*](#), you will be able to exercise, with the entities that own these databases, the rights of access, rectification, objection, deletion, limitation, portability of your personal data and not to be subject to automated decision-making.

- To "Ibercaja Pensión, E.G.F.P., S.A.U.", when authorised by you beforehand, in order to help process your registration as a participant of the Pensumo Individual Pension Plan.
- Group companies and the Ibercaja Banking Foundation, if authorised by you, so they can carry out commercial actions, as well as to Group companies for internal, control, accounting and administrative matters.
- Other Ibercaja partner companies to which you have authorised us to disclose your data, from the sectors indicated in section D.2 [\*"Transfer of personal data to Group companies, the Ibercaja Banking Foundation and partner companies for commercial purposes"\*](#).
- Third-party financial institutions (such as Cecabank, other banks or "Bizum, S.L." as the owner of the "BIZUM" service, and it in turn to the companies associated with its system, which are shown in this link [www.bizum.es/entidades](http://www.bizum.es/entidades), CECABANK, or other banks) through which we have to execute your payment orders, international transfers, or any other service or process that you may request from us.

In addition to the above data disclosures, Ibercaja will work with third-party service providers who may have access to your personal data and, consequently, will process the aforementioned data on behalf of Ibercaja as part of the services they provide.

Ibercaja employs suitable criteria for selecting service providers in order to comply with its data protection obligations, and it undertakes to enter into the corresponding data processing contract with them, through which it will impose the following obligations on them, among others: use appropriate technical and organisational methods; process personal data for the purposes agreed and solely in accordance with the documented instructions of Ibercaja; and delete or return the data to Ibercaja once the service provision is terminated.

Specifically, Ibercaja may contract the services of third parties whose activity involves, but is not necessarily limited to, the following sectors: logistics services, legal advice, private appraisal services, certification of vendors, multidisciplinary professional services companies, maintenance companies, technology services providers, IT services providers, security companies, instant messaging services providers, infrastructure management and maintenance companies, and call centre services companies.

#### [\*Transfers of personal data outside the European Economic Area\*](#)

In general, the aforementioned third parties are located within the European Economic Area, with the exception of certain providers whose services may occasionally involve or require transferring your personal data outside this territory. In these cases, Ibercaja will take the following steps:

- (i) The measures and guarantees specified in the GDPR will be adopted to guarantee that the level of protection of your personal data is not undermined.
- (ii) You will be informed, as applicable, of the existence or absence of an adequacy decision by the European Commission with regard to the destination country or, failing that, to the guarantees adopted; in particular, the acceptance of the Standard Contractual Clauses approved by the European Commission.

You can request additional information on the adequate guarantees in question, as well as, where applicable, obtain a copy of them, by sending a request to the email address [dpo@ibercaja.es](mailto:dpo@ibercaja.es).

Additionally, if you ask us to carry out operations that involve sending funds to bank accounts in financial institutions located outside the European Economic Area, Ibercaja will transfer your personal data internationally to the State of the bank in which this account is open. This transfer will be made, since it is required to perform the contractual relationship you have with Ibercaja.

## **7. Do I have to keep my data updated?**

In order to properly communicate with you, we ask that all the data you provide be correct, complete, accurate and duly updated.

If any of the personal details you reported to us (postal address, email address and landline and mobile phone numbers) change, you can update them at any Ibercaja branch. You can change your email address on our banking website.

If you do not inform us of any changes, the communications that we send to your postal or email address, or to the telephone numbers you have provided and that appear in our systems, will continue to be valid.

## **8. What are your rights regarding your personal data?**

The data protection laws recognise a series of rights that you should know and you can exercise to protect your privacy and control how we use your personal data. Specifically:

- You have the right to obtain confirmation on whether we are processing your personal data at Ibercaja; and if so, to access your personal data, as well as to request that inaccurate data be corrected or to request your data be deleted when, among other reasons, the data are no longer necessary for the purposes for which they were collected.
- In specific circumstances, you can request that the processing of your data be limited.
- In certain cases, and for reasons related to your particular circumstances, as well as in situations in which we process your data at Ibercaja for our legitimate interest, you may object to the processing of your data. In such a case, Ibercaja will stop processing them,

except for compelling legitimate reasons or for the exercise or defence of potential claims.

- You can also request the portability of your data in a commonly used and machine-readable format.
- From then on and at any time afterward, whenever you wish, and without your doing so in any way impeding or harming your status as an Ibercaja customer, you have the option to withdraw any consent you may have given us. However, we must also note that withdrawing your consent takes effect from that moment on, meaning it has no effect on any processing done by Ibercaja up to that point.
- In cases where decisions are taken based solely and exclusively on the automated processing of your data, including profiling, you can request human intervention, express your point of view and challenge the decisions.

You can exercise all the rights indicated above through any of the following channels made available by Ibercaja:

- (i) Letter addressed to Ibercaja's Data Protection Officer (Plaza de Basilio Paraíso 2 - 50008, Zaragoza).
- (ii) Email sent to Ibercaja's Data Protection Officer ([dpo@ibercaja.es](mailto:dpo@ibercaja.es)).
- (iii) Website form for Exercising Personal Data Rights, available at <https://www.ibercaja.es/forms/ejercicio-de-derechos/>.
- (iv) Form for Exercising Personal Data Rights available on Ibercaja's banking website.
- (v) Request in person at any branch of the Ibercaja network (<https://www.ibercaja.es/oficinas/>).

In this regard, for security reasons and given the sensitive nature of the information under Ibercaja's responsibility or custody, depending on the channel through which you submit your request, in certain cases we may require additional information or documentation in order to verify your identity, thereby helping to prevent third parties from impersonating you in order to unlawfully access or modify your personal data.

You can also ask any questions related to the processing of your personal data by writing to the Ibercaja Data Protection Officer (Plaza de Basilio Paraíso 2 - 50008, Zaragoza) or by email to [dpo@ibercaja.es](mailto:dpo@ibercaja.es).

Finally, you can also file a claim with Ibercaja and/or the Spanish Data Protection Agency (as the competent Supervisory Authority with regard to data protection), especially if you are dissatisfied with the outcome of the exercise of your rights, by writing to [dpo@ibercaja.es](mailto:dpo@ibercaja.es) or via the website <https://www.aepd.es>.

## 9. Data protection risk analysis and impact assessments

The Entity has analysed the different risks in terms of data protection, with respect to the data processing identified in this document. In so doing, based on the need and proportionality of the processing in question with respect to its purpose, **we assess the risks to the rights and freedoms of the customer, and consider measures to address, manage them and attempt to mitigate them**, thus guaranteeing the protection of their personal data.

The issues analysed include, among others, aspects relating to:

- Volume of data subject to processing.
- Involvement by third parties in the data flow.
- Evaluation of personal aspects of individuals.
- Categorisation and segmentation.
- Credit worthiness.
- The use of external databases.
- The hiring of external suppliers.
- Assignment of information.
- Legitimate bases for processing.
- The possibility of data subjects to exercise their data protection rights.

After conducting its analyses, Ibercaja carried out the Data Protection Impact Assessments, which were determined based on the risk analyses done beforehand. You can request to access the essential aspects of these Impact Assessments by writing to [dpo@ibercaja.es](mailto:dpo@ibercaja.es).

## 10. Who is the Ibercaja Data Protection Officer?

Ibercaja has appointed a person to protect your privacy, called the Data Protection Officer, to ensure our customers' data are duly protected and to ensure that Ibercaja complies with the various legal requirements contained in the personal data protection laws.

This person will be responsible for providing you all the information you need regarding data protection. You can contact the DPO at the following email address: [dpo@ibercaja.es](mailto:dpo@ibercaja.es).

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