

REGULATIONS FOR CUSTOMER PROTECTION OF CAIXABANK, S.A.

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CHAPTER I. GENERAL PROVISIONS

Article 1. Purpose

These Regulations are intended to govern the Customer Service Department of CaixaBank, S.A. (hereinafter, CaixaBank), and of the entities within the CaixaBank Group, as well as the procedure for handling customer complaints.

These Regulations have been drawn up in compliance with the provisions of Order ECO/734/2004 of 11 March on customer service departments and services and the customer ombudsman of financial institutions; Royal Decree-Law 19/2018 of 23 November on payment services and other urgent financial measures; and Law 7/2017 of 2 November, which transposes into Spanish law Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes.

Article 2. Definitions

Unless expressly stated otherwise, or unless a different interpretation is clearly apparent from the context in which they are used, the following terms in these Regulations shall have the meanings set out below:

a) **Customers or users:** Natural or legal persons, whether Spanish or foreign, who qualify as users of the financial services provided by CaixaBank and by entities within the CaixaBank Group, including members, promoters and beneficiaries of pension schemes; policyholders, insured persons, beneficiaries and injured third parties in the case of insurance contracts; and the successors of any of the foregoing.

References to customers in these Regulations shall also be understood to apply to users who are not customers.

b) **Claims or complaints:** Those submitted by users in relation to their legally recognised interests and rights, whether arising from contracts, from transparency and customer protection regulations, or from good financial practice and usage, in particular the principle of fairness.

Complaints shall be deemed to include those relating to delays, lack of attention or any other type of deficient conduct observed in the provision of financial services.

Complaints shall also be deemed to include those that set out specific facts relating to actions or omissions which, in the customer's view, constitute a breach of contract, of transparency and customer protection regulations, or of good financial practice and usage, and which entail harm to the complainant's interests or rights, with the aim of obtaining redress.

References in these Regulations to complaints shall also be understood to include grievances.

c) **Consumer customers or users:** Any natural person acting for purposes outside their trade, business, craft or profession, as well as any legal person and any entity without legal personality acting on a not-for-profit basis in a sphere unrelated to a commercial or business activity, unless the regulations applicable to a specific economic sector restrict the submission of complaints to the accredited entities referred to in Law 7/2017 (on alternative dispute resolution for consumer

disputes) exclusively to natural persons.

- d) **CaixaBank:** CaixaBank and the entities within its Group that are bound by these Regulations.
- e) **Service:** The Customer Service Department.
- f) **Supervisors' complaints services:** Refers to the complaints services of the Bank of Spain, the National Securities Market Commission and the Directorate-General for Insurance and Pension Funds which, within their respective areas of competence, handle complaints submitted by users of financial services.
- g) **Payment services.** A financial service consisting of the execution of payment transactions on the customer's instructions and other ancillary operations. At CaixaBank, the most common payment services are provided within the framework of current account, card, direct debit issuance and bulk transfer agreements.

Article 3. Approval of and accession to the Regulations.

1. These Regulations have been approved by resolution of the Board of Directors of CaixaBank, S.A. and submitted for verification to the Bank of Spain.
2. Entities within the CaixaBank Group may accede to these Regulations if they fall into any of the following categories:
 - a) Credit institutions; b) Investment services companies; c) Management companies of collective investment undertakings; d) Insurance companies; e) Pension fund management entities; f) Insurance brokerage companies; g) Valuation companies; h) Financial credit institutions; i) Payment institutions; j) Electronic money institutions; and k) any other entity providing financial or other services to end customers, provided that no regulatory provision prevents its accession.
3. Accession must be carried out by resolution of the Board of Directors of the respective entities. Such resolution must contain the express and specific acceptance of the head of the Customer Service Department designated by the Board of Directors of CaixaBank.
4. Any changes in the heads of the Customer Service Department (terminations and new appointments) shall be approved by resolution of the Board of Directors of CaixaBank, in accordance with these Regulations, and shall be assumed by the acceding entities. These changes shall be communicated to the supervisors' complaints services, to the Bank of Spain, and to any other supervisory authorities relevant to the activities carried out by CaixaBank and the acceding entities.
5. Amendments to these Regulations shall be approved by resolution of the Board of Directors of CaixaBank and shall be assumed by the acceding entities. Such amendments shall be submitted for verification by the Bank of Spain.
6. Failure to adopt the resolutions provided for in the preceding sections shall result in the affected entity being released from the regime established under these Regulations, and it shall be entitled to establish its own Customer Service Department in accordance with the regulations in force at any given time.
7. An updated list of acceding entities shall be attached as an annex to these

Regulations.

Article 4. Timeline for submitting complaints

The time limit for submitting complaints shall be five years from the date on which the events giving rise to the complaint occurred, in any case respecting a minimum of two years from when the complainant became aware of them.

Article 5. Duty to cooperate

All departments and services of CaixaBank shall provide the Customer Service Department with any information and documents it requests in relation to the exercise of its functions.

Article 6. Information for customers

CaixaBank shall make the following information available to its customers at each and every branch open to the public, as well as on its websites:

- a) The existence of the Customer Service Department, including its postal and email addresses.
- b) CaixaBank's obligation to handle and resolve, within the time limits applicable in each case in accordance with Article 11 and from the date of submission, complaints submitted by customers to the Customer Service Department, either at any CaixaBank branch open to the public or via the designated email address.
- c) Reference to the complaints services of the Bank of Spain, the National Securities Market Commission, and the Directorate-General for Insurance and Pension Funds, including their postal and email addresses, as well as the requirement to first exhaust the Customer Service Department procedure before submitting complaints to them.
- d) These Regulations.
- e) References to the regulations on transparency and customer protection in financial services.

CHAPTER II. CUSTOMER SERVICE DEPARTMENT

Article 7. Structure

1 The Customer Service Department is an internal body of CaixaBank, separate from commercial and operational services, whose function is to resolve autonomously, and avoiding any conflict of interest, the complaints within its competence, in accordance with the provisions of these Regulations.

2 The head of the Department must be a person of commercial and professional integrity, with the appropriate knowledge and experience to carry out their functions.

3 CaixaBank shall take the necessary measures to ensure that the procedures established for transmitting information at any time required by the Department to the rest of the organisation comply with the principles of speed, security, efficiency, and

coordination.

4 CaixaBank shall provide the Department with adequate human, material, technical, and organisational resources to fulfil its functions. In particular, it shall take the necessary actions to ensure that personnel assigned to the Department have adequate knowledge of the regulations on transparency and customer protection in financial services.

5 The head of the Customer Service Department shall participate in the processes for the approval, monitoring, and control of new products, within the framework of the Group's product governance policy, contributing their experience regarding complaints and their knowledge of supervisory practices.

6 The Department's decisions shall be binding on CaixaBank, but not on the complainant.

Article 8. Incompatibility and ineligibility

The following persons may not be appointed as head of the Department:

- a) Individuals who are bankrupt or subject to insolvency proceedings and have not been legally rehabilitated.
- b) Those who are disqualified or suspended, either criminally or administratively, from holding public office or positions of administration or management in entities.
- c) Those with a criminal record for offences against property, money laundering, offences against the socio-economic order, tax offences, or social security offences.
- d) Those who have been sanctioned for committing administrative violations arising from the regulations applicable to the activities of credit institutions, insurance activities, securities market regulations, anti-money laundering, counter-terrorist financing, or consumer protection, as well as for any other serious or very serious administrative offence.
- e) Those who perform functions directly related to the commercial or operational services of CaixaBank.

Article 9. Appointment and removal

1. The head of the Department shall be appointed, reappointed and removed, following a proposal from the Appointments and Sustainability Committee, by resolution of the Board of Directors of CaixaBank. The appointment shall be for an indefinite term and may be terminated by a reasoned resolution of the same body, based on the following grounds:

- a) Loss of the established eligibility requirements;
- b) Suspension or termination of the employment relationship with CaixaBank;
- c) Being subject to criminal investigation in relation to any matter involving offences against property, money laundering, offences against the socio-economic order, tax offences, or social security offences;
- d) Performance of their duties in a manifestly negligent manner or any other serious cause.

2. The appointment and removal of the head of the Department shall be reported by CaixaBank to the supervisors' complaints services, as well as to the Bank of Spain, the National Securities Market Commission, the Directorate-General for Insurance and Pension Funds, and any other relevant supervisory authorities.

3. In the event that the position becomes vacant for any reason, a replacement shall be appointed in accordance with the applicable legal and/or statutory provisions.

CHAPTER III. PROCEDURE FOR HANDLING COMPLAINTS

Article 10. Scope of the procedure

The procedure set out in this chapter shall apply to the handling of complaints assigned to the Customer Service Department.

Article 11. Timeline for resolving the complaint

The Department shall issue a decision within the following time limits:

- a) two months, if the customer is not a consumer.
- b) one month, if the customer is a consumer.
- c) fifteen working days if the complaint relates to payment services, regardless of whether the customer is a consumer. In exceptional cases, this period may be extended to a maximum of one month when, for reasons beyond the Department's control, it is impossible to provide a response within fifteen working days, provided that the Department informs the customer of the reasons for the delay and specifies the period within which the customer will receive a final response.

The time limits for resolving complaints shall begin to run from the date on which the complaint is submitted through any of the channels or bodies designated for this purpose.

If the customer disagrees with the decision of the Customer Service Department, or if no decision is issued within the time limits stated above, the complainant may refer the matter to the complaints service of the relevant supervisor(s).

In accordance with Article 18(e) of Law 7/2017 (on alternative dispute resolution for consumer disputes), a customer with consumer status shall have one year from the date of submission of the complaint to the entity or to its Customer Service Department to submit the complaint to the complaints service of the relevant supervisor(s).

Article 12. Submission of complaints

1. Every customer shall have the right to submit complaints to the Customer Service Department regarding matters and subject to the rules set out in these Regulations.

The submission and handling of complaints shall be free of charge, and CaixaBank shall not require the customer to make any payment in this respect.

For complaints submitted by members or beneficiaries of individual pension schemes promoted by VidaCaixa S.A.U. de Seguros y Reaseguros, the provisions of Article 22 shall apply.

2. Complaints may be submitted, either in person or through a representative, to the Customer Service Department at any CaixaBank branch open to the public, as well as to the email address designated for this purpose.
3. Once the complaint is received by the entity, it shall be forwarded to the Department. The time limit for resolving the complaint shall begin to run from the date of submission through any of the channels or bodies designated for this purpose. In all cases, written acknowledgement of receipt must be issued, recording the date of submission for the purposes of calculating that time limit.
4. The complaint shall be submitted only once by the interested party, and they may not be required to resubmit it to different bodies within the entity.
5. Once the complaint has been received by the Department, a file shall be opened.

Article 13. Format and content of complaints

1. The complaint must be submitted in writing, on paper or by computer, electronic or telematic means, provided that these allow the documents to be read, printed and stored, and include the corresponding electronic signature in accordance with the applicable legal requirements.
2. The procedure shall be initiated by submitting a document stating:
 - a) The name, surname(s) and address of the interested party and, where applicable, of their duly accredited representative; the national identity document number for natural persons and the relevant public registry details for legal persons.
 - b) The grounds for the complaint, clearly specifying the issues on which a decision is requested and, where applicable, the amount claimed.
 - c) The branch or branches, department or service where the events giving rise to the complaint occurred.
 - d) A statement that the complainant is not aware that the subject matter of the complaint is being processed through an administrative, arbitration or judicial procedure.
 - e) Place, date and signature.
3. The complainant must provide, together with the above document, any documentary evidence in their possession on which the complaint is based.

Article 14. Rectification

If the identity of the complainant is not sufficiently evidenced, or if the facts giving rise to the complaint cannot be clearly established, the signatory shall be requested to complete the documentation submitted within ten calendar days, with a warning that, if this is not done, the complaint will be closed without further action. However, failure to rectify the errors within the specified period may never be interpreted as a waiver by the complainant of their right to submit the complaint again.

The time taken by the complainant to rectify the errors referred to in the previous paragraph shall not be included in the calculation of the time limit for resolving the

complaint.

Article 15. Inadmissibility

1. Complaints may be rejected only in the following cases:

- a) Where essential data required for processing is omitted and cannot be rectified, including cases where the grounds for the complaint are not specified.
- b) Where appeals or actions other than complaints are sought to be processed as a complaint and fall within the competence of administrative, arbitration or judicial bodies, or where the matter is pending resolution or litigation before such bodies, or has already been resolved by them.
- c) Where the facts, grounds and request setting out the subject matter of the complaint do not relate to specific transactions or do not fall within the scope established in Article 2 of these Regulations and, in particular:
 - (i) Those relating exclusively to employment relationships between CaixaBank and its employees.
 - (ii) Those relating to matters that fall within CaixaBank's discretionary powers, except those concerning delay or negligence by the entity in communicating its decisions to the interested parties.
 - (iii) Those intentionally and manifestly aimed at preventing, obstructing or delaying the exercise of any right of CaixaBank against the customer.
- d) When complaints are submitted that repeat others already resolved, presented by the same customer in relation to the same facts.
- e) When the time limit for submitting complaints established in Article 4 of these Regulations has expired.
- f) When the content of the complaint is offensive.

When simultaneous processing of a complaint and an administrative, arbitration or judicial procedure on the same matter becomes known, the complaint shall not be processed.

2. When a complaint is considered inadmissible, this shall be communicated to the interested party by means of a reasoned decision, granting them a period of ten calendar days to submit their arguments. If the interested party responds and the grounds for inadmissibility remain, the final decision adopted shall be communicated to them.

Article 16. Processing

The Service may, in the course of processing the files, request from both the complainant and the various departments and services of the Institution concerned any data, clarifications, reports or evidence it considers appropriate in order to reach its decision.

Article 17. Settlement and withdrawal

1. If, in light of the complaint, the Institution decides to uphold the complainant's claim, it must notify the Service of its decision and, where appropriate, provide documentary

evidence of the rectification.

2. The interested parties may withdraw their complaints at any time. Withdrawal will result in the immediate termination of the procedure insofar as it relates to the relationship with the interested party.

Article 18. Completion and notification

1. The file must be completed by means of a decision issued within the period applicable in accordance with the provisions of Article 11, calculated from the date on which the complaint is submitted to the Customer Service Department, at any CaixaBank branch open to the public, or at the email address provided for this purpose.

2. The decision must always be reasoned and must contain clear conclusions regarding the request raised in each complaint, based on the contractual clauses, the applicable transparency and client protection rules, as well as good financial practices and customs.

If the decision departs from the criteria applied in previous similar cases, the reasons justifying this must be provided.

3. The decision must expressly state the complainant's right to refer the matter to the Complaints Service of the relevant supervisory authorities in the event of disagreement with the outcome of the decision.

4. The decision must be reported to the interested parties within ten calendar days from its date, in writing, on paper or by computer, electronic or telematic means, provided these allow the documents to be read, printed and stored and include the corresponding electronic signature in accordance with the legally established requirements, as expressly designated by the complainant and, in the absence of such indication, by the same means through which the complaint was submitted.

Article 19. Confidentiality. Safekeeping of files

1. Complainants shall have the right to be informed of the status of the cases in which they are involved, to have any original documents they have submitted returned, and to obtain copies or duplicates of those documents and of any communications sent to them by the Customer Service Department.

2. Information relating to the files and their contents shall not be disclosed or made available to third parties without the consent of the interested parties, except when required by a judicial or administrative authority, without prejudice to the publication of statistical data and the criteria contained in the decisions, while maintaining the appropriate confidentiality regarding the parties involved.

CHAPTER IV. OTHER ASPECTS

Article 20. Annual report

1. Within the first quarter of each year, the Customer Service Department shall submit to the Board of Directors of CaixaBank and of the entities bound by these Regulations an explanatory report on the performance of its functions during the preceding financial year, which shall include at least the following:

- a) A statistical summary of the complaints handled, including information on their number, admission for processing and reasons for inadmissibility, the grounds

and issues raised in the complaints, and the amounts or values involved.

- b) A summary of the decisions issued, indicating whether they were favourable or unfavourable to the complainant.
- c) General criteria contained in the decisions.
- d) Recommendations or suggestions based on its experience, aimed at improving the achievement of the objectives guiding its activities.

2. At least one summary of the report shall be included in the annual report of CaixaBank and of each of the entities bound by these Regulations.

Article 21. Relation with the complaints services of the supervisors

Requests made by the complaints services of the supervisory authorities in the exercise of their functions to any of the entities subject to these Regulations shall be attended to by the Customer Service Department or by the person designated by its head, within the time limits established by those authorities, in accordance with the provisions of their regulations.

Article 22. Ombudsman for participants and associates

Complaints submitted by participants and beneficiaries of individual pension plans promoted by VidaCaixa S.A.U. de Seguros y Reaseguros must be submitted to the Customer Service Department or, alternatively, to the Participant Ombudsman.

The operating regulations of the Participant Ombudsman can be found at www.vidacaixa.es/reclamaciones.

ANNEX TO THE REGULATIONS FOR CUSTOMER PROTECTION OF CAIXABANK, S.A.

In accordance with the provisions of Article 3, the following entities of the CaixaBank Group are bound by these Regulations:

- CAIXABANK, S.A.
- NUEVO MICRO BANK, S.A.
- CAIXABANK PAYMENTS&CONSUMER, E.F.C, E.P, S.A.
- CAIXABANK ASSET MANGEMENT, S.G.I.I.C., S.A.
- VIDACAIXA S.A.U. DE SEGUROS Y REASEGUROS
- VIDACAIXA MEDIACION OPERADOR DE SEGUROS VINCULADO, S.A.