

CUSTOMER OMBUDSMAN REGULATIONS

ARTICLE 1.- Purpose of the Regulations

The purpose of these Regulations is to set forth the requirements and procedures to be met by the Customer Ombudsman, who shall act fully independent of the institution/institutions adhering to them and with complete autonomy as to the criteria and guidelines to be applied in the exercise of his/her duties.

ARTICLE 2.- Institution/s adhering to the Customer Ombudsman

All institutions subject to the Bank of Spain's supervision and that are authorized in a European Union member state may adhere to the Customer Ombudsman's Service.

ARTICLE 3.- Information duties to customers

1. The Customer Ombudsman is under the obligation to respond to and resolve the complaints sent to him/her by the consumer customers of the institution/s adhered to it within one month after being filed, provided he/she is competent, in accordance with the institution's/institutions' Regulations.

In the event of the complainant not being considered a "consumer", the deadline for resolving complaints is two months from their submission.

In the case of complaints filed by payment service users, the resolution period shall be fifteen working days.

All users of the financial services provided by the institution/s are considered customers.

Complaints may be filed either directly with the Ombudsman, by post or email, or through any of the institution's channels (Customer Service, email address and offices open to the public), with the requirements set out in Article 10 of these Regulations.

Complaints are those that seek to obtain the restitution of their interests and/or rights, stating specific facts concerning the institution's/institutions' actions or omissions that imply damage to the complainant's interests or rights.

2. Every institution shall have available at each and every one of its offices open to

the public, as well as on its website, in the event of making contracts by telematic means, information on the existence of the Customer's Ombudsman with the postal and electronic address thereof.

3. The institution/institutions shall have a copy of these Regulations available to customers, as well as information on rules on customer protection and transparency legislation.

4. If, after having processed the complaint with the Customer Ombudsman, the customer fails to consider his/her request has been adequately dealt with, he/she may contact the Bank of Spain's Department of Market Conduct and Complaints. He/she may also contact the Bank of Spain's Department of Market Conduct and Complaints or the financial supervisors Complaints Services after the term of one month for the resolution of the complaint (in the case of "consumer" customers) or two months in the case of "non-consumer" customers if they have not received any resolution thereof, or fifteen working days if it is a complaint based on payment services.

5. The Customer Ombudsman's action is governed by Order ECO/734/2004, of 11 March 2004 on Customer Services and Departments and the Customer Ombudsman of financial institutions and by the applicable regulations on customer protection and transparency, according to Royal Decree Law 19/2018, of 23 November, on payment services and other urgent financial measures, and Law 7/2017, of 2 November incorporating Directive 2013/11/EU of the European Parliament and of the Council, of 21 May 2013, on the alternative resolution of consumer disputes into Spanish law.

6. The Customer Ombudsman shall be a free service for the customers of the institution/s adhered to these Regulations.

ARTICLE 4.- The Customer Ombudsman

1. The Customer Ombudsman shall be a person of recognized prestige in the legal, economic or financial field, outside the organization of the institution or institutions to which he/she provides services, as well as with commercial and professional reputation and adequate knowledge and experience to carry out his/her duties.

2. The Customer Ombudsman shall be appointed by the institution's board of directors or equivalent body or by the general management of the foreign branch/branches, where applicable, of the institution/s adhered to the Service.

3. The Customer Ombudsman's name shall be provided to the Bank of Spain as the supervisory authority.

ARTICLE 5.- Duration of term and possibility of renewal

The Customer Ombudsman shall be appointed individually by the institution/s adhered to this Service for a period of **five** years, being automatically renewed in office for annual terms if three months before the date of the mandate, the institution fails to communicate its intention to appoint another person.

Without prejudice to this, the institution/s may, at any time, remove the Customer Ombudsman, due to a serious cause or justifiable reason, in which case, they shall provide a replacement within a maximum period of 30 days, as provided for in Article 6, Section 2 of these Regulations.

ARTICLE 6.- Causes of incompatibility, ineligibility and removal

1. The Customer Ombudsman's appointment shall be incompatible with any professional relationship with the institution/s adhered to the Service, which could cast doubt on his/her independence of judgment.

2. If the position is left vacant, the Board of Directors or equivalent body of the institution/s participating in the Service shall appoint a replacement within a maximum period of 30 calendar days.

3. The following may not hold the position of Customer Ombudsman:

- a) Non-rehabilitated bankrupt parties.
- b) Those who have been criminally or administratively disqualified or suspended from holding public, administration or management posts.
- c) Those with a criminal record.

4. The Customer Ombudsman shall cease to exercise his/her duties in the following circumstances:

- a) Unexpected disability.
- b) Being convicted of a crime by a definitive judgment.
- c) By express waiver.
- d) By agreement of the Board of Directors or equivalent body of the institution/s adhered to the Service, through a decision based on a manifestly negligent or improper action in the performance of the obligations and duties of the office and,

in any case, for a serious cause or justified reason.

ARTICLE 7.- Matters of competence

As regards matters that may be known to both the Customer Service and the Customer Ombudsman, the institution shall specify in its Regulations whether the Ombudsman acts only in the second instance. If nothing is specified, the Customer Ombudsman shall answer all complaints that are specifically addressed to him/her and which fall under his/her competence.

Institutions adhered to the Service may entrust the Customer Ombudsman only with complaints that do not exceed a certain economic threshold, which shall be determined in the Customer Service Regulations of each case.

Customer Ombudsman rulings in favour of the complainant shall be binding for the institution/s. This binding nature shall not impede the full judicial protection to recourse to other dispute settlement mechanisms or to administrative protection.

Complaints shall be the competence of each institution's Customer Service. A complaint is defined as the customer's dissatisfaction with the service or attention received.

ARTICLE 8.- Department obligations

1. All Departments or Services of the institution/s adhered to the Service shall cooperate with the Customer Ombudsman whenever requested by the Customer, in any matter that improves the performance of his/her duties and, in particular, provide all the information requested in matters of his/her competence and in relation to the issues submitted to his/her consideration.

2. Institution/s shall have a maximum period of twenty days to submit their allegations to the Customer Ombudsman after being requested to do so.

In the case of complaints filed by payment service users, the maximum term for filing complaints shall be ten working days.

ARTICLE 9.- Deadline for filing the complaint

Customers may file complaints to the institution (Customer Service, email address and offices open to the public) or to the Customer Ombudsman at any time up to a maximum period of two years from when the customer became aware of the facts.

ARTICLE 10.- Way to file complaints

Customers may file their complaints in person or by representation, on paper or by computer, electronically or telematically, as long as they allow the reading, printing and saving of the documents. The use of computer, electronic or telematic media shall comply with the requirements laid down in Law 59/2003 of 19 December on electronic signature.

ARTICLE 11.- Complaint procedure

1. The complaint procedure shall be initiated at the request of the interested party by means of a letter containing the following aspects:

- a) Name, surname, address, National ID card number or Tax ID number and data referring to public records for companies and the representative's data, where applicable.
- b) Reason for the complaint.
- c) Office, department, or service where the complaint originated.
- d) Statement that the complaint is not under judicial, administrative or arbitral proceedings.
- e) Place, date and signature.
- f) Documentary proof supporting the complaint's processing.

2. The complaint may be filed with the Customer Service or Department, with the Customer Ombudsman, at any office open to the public, personally or by post, as well as at the email address provided for this purpose, both by the Ombudsman and by the institution/s.

ARTICLE 12.- Admission to processing

Complaints received by the offices of the institution/s that have not been favourably resolved by the offices themselves, shall be forwarded to the Customer Service, which, where appropriate, in accordance with its Regulations, shall forward it in turn to the Customer Ombudsman.

In any event, the complainant shall be informed of the competent body to deal with his/her complaint.

All of the above, without prejudice to the term laid down in the rule for the resolution of the complaint since its filing, at any of the instances set out in Article 11.2. In any

event, receipt must be acknowledged in writing and the filing date recorded for the purposes of calculating that period.

The complaint shall be filed only once by the interested party without the obligation of its reiteration before various bodies. If the customer states that he/she is simultaneously doing so before different instances, he/she shall be required to choose one of them.

If the Customer Ombudsman deems it necessary to request new documentation from the complainant, the signing party shall be summoned within ten calendar days, with notice that, if he/she fails to do so, the complaint shall be archived and not processed further. The term to remedy errors shall not be included in the calculation of the term for resolving the complaint.

Notwithstanding the foregoing, in the event that, after archiving the file because the complainant has not adequately proven his/her identity or if the facts are not clearly established, the latter provides the information at a later date, a new file would be opened on the same facts.

ARTICLE 13.- Rejection of complaints

1. The Customer Ombudsman may only refuse the admission to processing of complaints in the following cases:
 - a) When essential data for processing that cannot be rectified are omitted, including cases when the reason for the complaint is not specified.
 - b) When the intent is for appeals or other actions that are competence of the administrative, arbitral or judicial bodies to be processed as a complaint, or when it is pending resolution or litigation, or the case has already been resolved in those instances.
 - c) When the facts, reasons and application specifying the issues set forth in the complaint do not refer to specific transactions or do not relate to interests and rights legally recognized to the complainant, whether arising from contracts, from regulations on customer protection and transparency, or from good financial practices and uses.
 - d) When complaints are made to reiterate previously resolved ones, filed by the same customer in relation to the same facts.
 - e) When the deadline for filing complaints set forth in this Operating Regulation has elapsed.

2. Where there is knowledge of the simultaneous processing of a complaint and an administrative, arbitral or judicial procedure on the same issue, the Customer Ombudsman shall refrain from processing it.

3. When the complaint is deemed non-admissible to processing for any of the above reasons, the interested party shall be informed by means of a reasoned decision.

The complainant shall have a period of ten calendar days to submit his/her allegations. If, once the latter have been received, the reasons for non-admission are maintained, he/she shall be informed of the final decision made.

ARTICLE 14.- Processing complaints

While processing files, the Customer Ombudsman may collect, both from the complainant and from different institution departments and services, all the data, clarifications, reports or proof he/she deems relevant to make a decision. All this shall be carried out diligently by the departments in order to reach a ruling within the prescribed deadlines and, in any event, within the maximum term set out in Article 8.

ARTICLE 15.- Acceptance and withdrawal

1. If, after reviewing the complaint, the institution rectifies its situation with the complainant to the latter's satisfaction, it shall notify the competent body at that time, whether the Customer Service or the Customer Ombudsman, with documentary proof. In this case, the complaint shall be filed with no further processing.

2. Interested parties may withdraw their complaints at any time. Withdrawal shall result in the immediate termination of the procedure as regards the complaint with the interested party.

3. In the event of the interested party's withdrawal while processing the complaint before the Customer Ombudsman, even though, as set out in the previous section, the procedure shall be immediately completed, the Ombudsman may agree to continue with it within the framework of his/her position and so as not to promote compliance with regulations on customer protection and transparency and of good practice and financial uses.

ARTICLE 16.- Termination and notification

1 . The file shall be terminated within a maximum period of one month (if the complainant is a "consumer") or two months (if the complainant is not a "consumer"), from the date on which the complaint was filed at any of the instances set forth in Article 11.2.

In the case of complaints submitted by payment service users, the file must be completed within a maximum period of fifteen working days.

2. The Customer Ombudsman's decision shall always be reasoned and contain clear conclusions on the request made in each complaint, on the basis of contractual clauses, the rules on customer protection and transparency, as well as good practices and financial uses.

If the decision is different from the criteria set out in the file, the reasons justifying it shall be provided.

3. The decision shall be notified to the interested parties within ten calendar days as of that date, in the way expressly designated by the complainant. In the absence of the complainant's express indication, the same means in which the complaint had been filed shall be used for the reply.

4. Decisions with which the procedures for the processing of complaints are completed shall expressly mention the complainant's right, in case of dissatisfaction with the result of the ruling, to file an appeal with the Bank of Spain's Department of Market Conduct and Complaints.

The complainant may appeal to the financial supervisors Complaints Services, if he/she has not received a reply from the Customer Services or Customer Ombudsman, taking into account the deadlines indicated below:

- After two (2) months if they are non-consumers.
- After one (1) month if they are consumers.
- After fifteen (15) working days if the complaint is based on any payment service.

Consumers shall also be advised to file their complaint with the financial supervisors' Complaints Services before one year from the date of filing the complaint with the Institution, Customer Services or Customer Ombudsman.

ARTICLE 17.- Annual report

1. During the first quarter of each year, the Customer Ombudsman shall submit to the Board of Directors or equivalent body of the institution/s or to the general

management of the branch/es, where appropriate, an explanatory report on the performance of their function during the previous financial year, which shall include:

- a) A statistical summary of complaints reviewed, with information on their number, admission to processing and reasons for non-admission, reasons and issues raised in the complaints and amounts concerned.
- b) A summary of the decisions given, indicating whether they were favourable or unfavourable to the complainant.
- c) The general criteria contained in the decisions.
- (d) Finally, recommendations or suggestions derived from the experience shall be included, in order to better achieve the purposes behind this Service's actions.

2. A summary of the report shall be summarized in the institution's/institutions' Annual Report.

ARTICLE 18.- Approval by the Board of Directors or equivalent body

These Regulations have been approved by the Board of Directors or equivalent body of the institution/s adhered to the Service and may be ratified, if so provided for in the Articles of Association of each participating company, by the General Meeting of Shareholders.

ARTICLE 19.- Verification by the Bank of Spain

These Regulations shall be verified by the Bank of Spain for definitive approval, as well as any subsequent amendments to be made.