

# THE SANTANDER GROUP CUSTOMER SERVICE AND CUSTOMER OMBUDSMAN REGULATIONS

## PREAMBLE

The multi-local nature of the Santander Group makes it possible to combine a single global business model with the best practices in each local market.

This unique business model focuses on a set of clearly established guidelines and principles that are shared by all the countries in which we operate. One of these principles is our conviction that customer and user satisfaction is essential in generating stable long-term profits and, as such, achieving it must always be at the heart of our business.

In conjunction with this conviction, which leads us to pursue lasting relationships with our customers and users, we find ourselves amid an external situation in which consumer protection in the area of global financial activity is significantly increasing.

A clear example of this is legislation to protect financial services users that establishes, among other things, the obligation to draw up these Regulations.

These Regulations comprise the following six titles: the Purpose and Scope of the Regulations, the activities of the Customer Service Department, the accepted Duty of Information, the Complaints and claims procedure, the Annual Claims Report, which is published and included in the Group's Annual Report as part of our transparency for shareholders, customers and users, and finally, the rules on *Amendment of the Regulations*.

*A transitional provision on the entry into effect of these Regulations is also included.*

## TITLE I

### PURPOSE AND SCOPE

#### Article 1

The Santander Group Customer Service and Customer Ombudsman Regulations (hereinafter the “Regulations”) comply with Order 734/2004 of the Ministry of Economy of 11 March on *Customer Service Departments and the Financial Organisations Customer Ombudsman*, regulating the current procedures for responding to customer and user complaints and claims.

#### Article 2

The Regulations shall apply to the Spanish financial companies of the Santander Group – unless they have approved their own regulations, as provided for in the applicable legislation – and are subject to review by the Bank of Spain as the supervisory body of the Group’s parent bank.

#### Article 3

Customer and user complaints and claims covered by these Regulations include, but are not limited to, delays and lack of attention in the services received by financial service users, as well as their legal interests and rights, whether derived from agreements, transparency and customer protection regulations or good financial practices.

Injured third parties in insurance contracts are considered financial service users.

#### Article 4

Consumers and users can lodge their complaints or claims with the Customer Service Department.

## TITLE II

### CHAPTER I

#### THE CUSTOMER SERVICE DEPARTMENT

##### Article 5

The Customer Service Department is part of the General Secretariat of the Bank and acts independently of the other commercial and operational areas and departments of the Group. It shall process the complaints and claims received from financial service users of all the financial companies of the Group that are subject to these Regulations under Article 2.

Customer Service Department decisions shall be binding on the companies subject to these Regulations and not on the consumers, except as established in Article 12, and the affected companies shall be notified of such decisions pursuant to the provisions of the corresponding articles herein.

##### Article 6

The provisions of the previous article are without prejudice to any Group companies that, under the current regulations, have their own Customer Service Department or Customer Ombudsman.

##### Article 7

The Customer Service Department has the authority to handle all complaints and claims submitted to it that relate to Article 3, with the exception of the following:

- a) Relationships between the companies subject to these Regulations and their shareholders and employees.
- b) Relationships of the companies subject to these Regulations with their suppliers in terms of their business relationship.
- c) Issues relating to decisions made by the companies subject to these Regulations on whether or not to authorise loans or execute certain agreements or specific transactions or services with certain individuals, as well as the corresponding agreements and conditions, except where the complaint or claim is due to delay or negligence in the decision-making process of the bank.
- d) Those regarding matters that are pending or have already been resolved in court or arbitration proceedings or by the claims and complaints departments of the Bank of Spain, National Securities Market Commission and the Directorate General of Insurance and Pension Funds, hereinafter referred to as the “Financial Supervisors”, or that manifestly aim to prevent, delay or hinder the exercise of any right of the companies subject to these Regulations against their customers and users.
- e) Those from individuals who are not residents in Spain, unless they regard their relationships with offices located in Spain and concern transactions in the country.

- f) Those regarding events or transactions carried out during a period that exceeds that expressly provided for in the final point of Article 26 of these Regulations.

## Article 8

All departments and services of the bank and its Group are obliged to provide information quickly, securely, effectively and in a coordinated manner when required by the Customer Service Department to perform its functions.

## Article 9

The Group shall provide the Customer Service Department with the appropriate human, material, technical and organisational resources to fulfil its duties.

## Article 10

Necessary measures will be taken to ensure the staff of said Department have adequate knowledge of the regulations on transparency and protection of financial services' customers and users.

# CHAPTER II

## DUTIES AND AUTHORITY

## Article 11

In exercising its duties, the Customer Service Department shall act with the independence required to adequately safeguard the interests and rights expressly recognised by law.

## Article 12

Complaints or claims that, by their nature or due to the existence of an ongoing procedure, fall under the authority of administrative, arbitration or court bodies, may not be subject to the binding decision of the Customer Service Department.

## Article 13

Any department or office of the Group that receives a complaint or claim and deems that it cannot resolve it for the consumer as part of its normal activity, shall immediately forward it to the Customer Service Department. It shall also inform the consumer that said department has the authority required to handle their complaint or claim.

## Article 14

The Customer Service Department will also serve all departments of the Group that need help to establish and implement the internal measures deemed necessary to correctly operate within the framework of good practices.

## Article 15

In addition to preparing the annual report, as discussed later, the Department shall also prepare regular statistical reports on the complaints and claims received, whether per item, office or product, in order to better understand and resolve them.

## Article 16

The Director of the Customer Service Department will be the contact person for the Claims and Complaints Departments of the Financial Supervisors, as well as for consumer organisations or customer and user associations.

## CHAPTER III

### DIRECTOR OF THE CUSTOMER SERVICE DEPARTMENT

## Article 17

The Director of the Customer Service Department must be a person of commercial and professional repute and have sufficient knowledge and experience to exercise their duties pursuant to the provisions of these Regulations and the applicable legislation. The Director will be appointed by the Board of Directors of Banco Santander, S.A. or, through delegation of powers, by the Executive Committee in accordance with the law and particularly with regard to ineligibility.

The Director of the Customer Service Department will sit on the New Products Committee of the Group in order to include experience gained from the complaints and claims of customers and users, as well as the stance of financial supervisors on similar matters, in the design and marketing processes of new products.

## Article 18

Legal incompatibility shall be grounds for termination.

The Director of the Customer Service Department shall not hold the position at the same time as any other in the organisation. This ensures the effective separation of the Customer Service Department from the other divisions, departments and offices of the Group, thereby providing it with the independence required.

## Article 19

The claims and complaints departments of the Financial Supervisors and the corresponding supervisory authorities must be informed of the appointment, termination and replacement of the Director of the Customer Service Department, as well as any significant change regarding the position.

## Article 20

The term of office of the Director of the Customer Service Department shall be five (5) years and he or she may be repeatedly re-elected for five-year periods without limitation. The Board of Directors of Banco Santander, S.A. or, by delegation, the Executive Committee, may, by means of agreement based on objective and serious grounds for termination, decide to replace the Director of the Department at any time. In this case, it will appoint a new Director within one month.

## TITLE III

### DUTY OF INFORMATION

#### Article 21

In accordance with the applicable regulations, the Group will make the following information available to customers and users at all its branches, as well as on the website, where legally required:

- The existence of the Customer Service Department, providing the corresponding postal and email address.
- The duty to handle the complaints and claims of customers and users covered by these Regulations within the terms set out in Article 32.
- References to the claims and complaints departments of the Financial Supervisors, stating the corresponding postal and email address and the need to first contact the Customer Service Department before submitting claims and complaints to said supervisors.
- The existence of these Regulations.
- References to the transparency and customer protection regulations of financial services.

## TITLE IV

### CHAPTER I

#### CLAIMS AND COMPLAINTS SUBMISSION, PROCESSING AND RESOLUTION

##### Article 22

Complaints and claims shall be submitted either personally or by proxy in paper format or through IT, electronic or telematic means, provided that the documents can be read, printed and stored. The use of computer, electronic or telematic means must comply with the requirements provided for in current regulations on this matter.

The document shall state:

- The full name and address of the interested parties and, where appropriate, of their duly accredited representative; their national identity document or passport number (for natural persons), and public registration details (for legal persons).
- The specific reasons for the claim or complaint.
- The office, branch, department or service relating to the incident giving rise to the claim or complaint.
- A statement that the consumer is not aware of any ongoing administrative, arbitration or court proceedings on the complaint or claim in question
- Place, date and signature.

Consumers may provide all the documentation they deem fit to substantiate their complaint or claim.

Complaints may be submitted to the Customer Service Department offices or at any branch of the banks. Alternatively, they may also be submitted via the email address.

Consumers shall only submit their complaints or claims once. The consumer cannot expect or call for them to be repeatedly submitted to different bodies of the bank.

Complaints or claims must be submitted within five years of the date on which the consumer became aware of the events giving rise to the complaint or claim.

Complaints or claims submitted outside the term established in the preceding paragraph shall not be accepted by the Customer Service Department.

##### Article 23

Where applicable, consumers shall notify the Customer Service Department of any ongoing proceedings undertaken by administrative, arbitration or legal bodies.



## Article 24

All complaints and claims shall obtain an acknowledgement of receipt stating the date they were received by the bank, with the exception of those that directly receive proof of receipt due to the submission method used.

## Article 25

If, after initial analysis, the complaint or claim received is deemed not to meet the requirements necessary for its acceptance, the consumer shall be informed within ten (10) days so that the corresponding omissions can be remedied. Should the complaint or claim fail to be remedied, it shall be closed and archived. All the foregoing is without prejudice to the right of consumers to file a new complaint or claim under the terms established in these Regulations. Should they decide to do so, such new submission must refer to the same events established in the first.

Nevertheless, complaints and claims shall not be accepted in the following cases:

- a) When essential information has been omitted and cannot be remedied, including when the grounds for the complaint or claim are not specified.
- b) When the submitted complaint or claim relates to appeals or actions under the exclusive authority of administrative, arbitration or court bodies, or that are pending resolution or proceedings or has already been resolved by such bodies.
- c) When the events, grounds and application on which the issues in the complaint or claim are based do not refer to specific operations or do not meet the requirements established in Article 26.
- d) When the complaint or claim reiterates those from the same consumer in relation to the same facts that have been already been resolved.
- e) When the term for the submission of complaints and claims established in Article 26 has elapsed.

When the claim or complaint is deemed to be unacceptable for consideration due to any of the reasons stated above, the consumer must be informed of the corresponding reasons and be given ten calendar days to respond. When the consumer responds but the grounds for not accepting the claim or complaint are upheld, the consumer will be notified of the final decision.

The consumer may rectify the reason for which their complaint or claim was inadmissible after the deadline has passed by filing a new complaint or claim.

The Santander Group Customer Service and Customer Ombudsman Regulations Page

## Article 26

The Customer Service Department shall collect all the data, clarifications, reports or evidence it deems necessary from any Group branch, body, department or company in order to formulate a decision.

To ensure compliance with the legally established terms, such information shall be provided within 15 days, unless a shorter term is otherwise provided for by law, thereby ensuring that the Customer Service Department receives the documentation in good time to be able make the appropriate decisions or statements.

#### Article 27

The corresponding business unit shall inform the Customer Service Department if a complaint or claim has been resolved to the satisfaction of the consumer and it shall attach documentary proof of it. When the consumer is satisfied, or when he or she expressly withdraws the complaint or claim, it shall be closed and archived.

#### Article 28

The file opened on receipt of the complaint or claim must be closed within two months of the date of receipt of the complaint or claim. The decision will be notified to consumers within ten calendar days of its date, in writing, by computer, electronic or telematic means, provided that they allow the reading, printing and storage of the documents, and comply with the requirements provided for in the current regulations on this matter.

However, in the event that a complaint or claim is submitted by a payment service user in relation to the rights and obligations derived from Titles II and III of Royal Decree-Law 19/2018 of 23 November on payment services and other urgent financial measures, the file shall be closed within fifteen (15) business days of its receipt.

In exceptional situations, if a response cannot be sent within fifteen business days for reasons beyond the control of the bank, it shall send the consumer a provisional response stating the reasons for the delay and the deadline for receiving the final response. The deadline for receipt of the final response shall not under any circumstance exceed one (1) month.

#### Article 29

The decision shall be justified and shall include the corresponding conclusions of the complaint or claim, based on contractual clauses, transparency and customer protection standards or good financial practices.

If the decision deviates from the arguments used previously for similar complaints or claims, the reasoning behind said decision shall be explained.

#### Article 30

Decisions that finalise complaints and claims procedures must expressly mention the right of the consumer to contact the appropriate claims and complaints departments of the Financial Supervisors regarding their complaint or claim, should they disagree with the decision.

Consumers may also contact the Claims and Complaints Departments of the Financial Supervisors when they have not received a response to the claim or complaint submitted to the Bank within the following periods:

- Two (2) months, if the consumer is not a customer.
- One (1) month, if the consumer is a customer, in accordance with Article 18 and the first Additional Provision of Law 7/2017 on alternative dispute resolution for consumers.
- Fifteen (15) business days, if the claim is regarding any payment service related to Titles I and II of Royal Decree-Law 19/2018 on payment services and other urgent financial measures.

In any case, any claimant who is considered to be a consumer is advised that they must do so within one year of filing the claim with the Customer Service Department via any of the accepted methods.

## Article 31

No decision made by the Customer Service Department is binding on consumers, regardless of the outcome of the decision. Therefore, in the event consumers accept the decision, they will not have to waive any subsequent right or recourse in the defence of their interests.

## CHAPTER II

### RELATIONSHIP WITH THE CLAIMS AND COMPLAINTS DEPARTMENTS OF THE FINANCIAL SUPERVISORS

## Article 32

The Customer Service Department must meet the requirements of the Claims and Complaints Departments of the Financial Supervisors when exercising its duties, within the established periods, in accordance with the corresponding legal provisions.

The decisions needed to facilitate the transfer of the information and documents required to exercise its duties to the aforementioned claims and complaints departments of the Financial Supervisors must be adopted, allowing said transfer to be carried out by telematic means using an electronic signature, in accordance with the provisions of the current regulations on this matter.

## TITLE V

### THE ANNUAL REPORT

#### Article 33

Before the end of the first quarter of each year, the Customer Service Department shall submit a report explaining its work during the preceding financial year, to the board of directors of the banks to which these Regulations apply. This report shall contain at least the following information:

- Statistical summary of complaints and claims, including a report on the number submitted, those accepted and grounds for rejection, reasoning and issues raised in the claims and complaints, as well as the corresponding quantities and amounts.
- Summary of the decisions and if they were made for or against the consumer.
- General criteria used in the decisions.
- Recommendations or suggestions derived from its activities for the purpose of continuously improving the quality of the service provided and to achieve the goal of applying good practices that ensure proper operating.

According to standard criteria, part of the summary report will be included in the annual report of the companies subject to these Regulations.

## TITLE VI

### AMENDMENT OF THE REGULATIONS

#### Article 34

In the event these Regulations are amended, the amendment will only enter into effect once it has been approved by the Board of Directors of Banco Santander, S.A., or delegated to and approved by the Executive Committee, and positively assessed by the Bank of Spain.

### ENTRY INTO FORCE OF THE TRANSITIONAL PROVISION

The Regulations will enter into effect once they are approved by the Board of Directors of Banco Santander, S.A., or delegated to and approved by the Executive Committee, following a positive assessment by the Bank of Spain.

## ANNEX

### LIST OF COMPANIES SUBJECT TO THE REGULATIONS

#### BANKS SUPERVISED BY THE BANK OF SPAIN

Bank code	Bank name
0049	BANCO SANTANDER, S.A.
0036	SANTANDER INVESTMENT, S.A.
0073	OPEN BANK, S.A.
0224	SANTANDER CONSUMER FINANCE, S.A.
4784	TRANSOLVER FINANCE, S.A., E.F.C
4797	SANTANDER LEASE, S.A., E.F.C.
6858	GETNETEUROPE, E.P., S.L.
6863	EURO AUTOMATIC CASH, S.A.
8906	SANTANDER FACTORING Y CONFIRMING, S.A., E.F.C.
0091	BANCO DE ALBACETE, S.A.
6722	PAGONXTEMONEY EDE, S.L

#### BANKS SUPERVISED BY THE NATIONAL SECURITIES MARKET COMMISSION

Official registration No.	Bank name
12	SANTANDER ASSET MANAGEMENT, S.A., S.G.I.I.C.
60	SANTANDER PRIVATE BANKING GESTIÓN, S.A., S.G.I.I.C.
287	SANTANDER ALTERNATIVE INVESTMENTS, SGIIC, S.A.U.

#### BANKS SUPERVISED BY THE DIRECTORATE GENERAL OF INSURANCE

Bank code	MANAGEMENT, S.A, S.G.I.I.C.
CO037	SANTANDER SEGUROS Y REASEGUROS, CÍA. ASEGURADORA, S.A.
G0080	SANTANDER PENSIONES, S.A., E.G.F.P.
J0989	SANTANDER INTERMEDIACIÓN CORREDURÍA DE SEGUROS, S.A.

#### NON-FINANCIAL COMPANIES

Bank code	MANAGEMENT, S.A, S.G.I.I.C.
N/A	SANTANDER REAL ESTATE, S.A.,
N/A	ALTAMIRA SANTANDER REAL ESTATE, S.A.