

**CUSTOMER INFORMATION AS REQUIRED BY ARTICLE 13 OF LEGISLATIVE DECREE 196/2003**

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**I. Data Controller and Data Coordinator**

The Data Controller is Banca SISTEMA S.p.A., head office Corso Monforte, 20 - 20122 Milan, while the Data Coordinator - who may be contacted by the data subject for the exercise of his/her rights under point V. - is

Banca Sistema S.p.A.  
Piazzale delle Belle Arti, 8 - 00196 Roma  
Tel. +39 06 3614951  
Fax. +39 06 36149560  
Indirizzo e-mail: legale@bancasistema.it

An up-to-date list of the other internal and external data coordinators may be obtained from branches of the Bank open to the public, or on the website [www.bancasistema.it](http://www.bancasistema.it)

**II. How and why the data is used**

Banca SISTEMA S.p.A. (the "Bank") informs you that the personal information it holds, which has been taken directly from the data subject or from a third party, may be processed, also by third-party entities (who may be located abroad) for:

1. Compliance with the obligations of laws, regulations, EC directives or instructions given by the competent authorities, supervisory and control bodies (such as the obligations under anti-money laundering legislation). The provision of personal information for the above purposes is **obligatory** and **the consent of the data subject is not required for it to be processed**.
2. Purposes closely related to the management of customer relations in the context of activities conducted according to the Bank's bylaws, and by law (e.g. by acquiring pre-contractual information, executing transactions on the basis of obligations deriving from a contract with the customer, evaluations and assessments of accounts, and the related risks). The provision of personal information for the above purposes is not mandatory, but refusal to provide it may, depending on the relationship between the information and the requested service, mean that the Bank is unable to provide the service. Processing of the above data **does not require the consent** of the data subject.
3. Purposes functional to the Bank's activities, such as: **a)** Recording the level of customer satisfaction with the Bank's services and those of the other companies in its group, by personal or telephone interviews, questionnaires etc; **b)** Promotion and sale of products and services of the Bank, other companies in its group or third parties by means of letter, telephone, fax or email; **c)** market surveys; **d)** the carrying out of PR activities.

The provision of personal information for the above purposes is optional and the consent of the data subject is required. The absence of consent will have no impact whatsoever on the relations between the parties. However, in order to improve the service provided to customers, the Bank wishes to highlight that the provision of consent may, also in this case, significantly improve the quality of its services.

The data will be processed manually, digitally and electronically using methods strictly related to the above purposes and in any event in a way that guarantees the confidentiality and security of the data.

**III. Sensitive data**

The Bank will only process sensitive information in order to provide specific services or operations requested by customers. In such cases the Bank will only execute the operation with the written consent of the requesting party.

**IV. Persons who may receive the data or who may become aware of it as data coordinators or data controllers**

In connection with its activities, the Bank may provide your information to:

- parties identified by law (e.g. for purposes linked to the administration and assessment of taxes, tax disputes and tax collection: - the Revenue Agency; for purposes related to the administration of justice: - the judicial authorities; for purposes related to the exercise of supervisory control and other functions specifically indicated by law: - the Bank of Italy, Consob and IVASS);
- Interbank Alert Centre (CAI) – the computerised archive kept by the Bank of Italy in relation to the regular functioning of payment systems;
- Central Credit Register – the information system managed by the Bank of Italy in relation to customer credit ratings and credit risk analysis and management;
- providers of banking, financial and insurance services, including credit guarantee cooperatives; this category also includes the interbank "sufficient funds" practice, whereby the account holder's bank informs the drawee bank of whether or not there are sufficient funds to pay a cheque presented for cashing;
- companies in the Banca SISTEMA S.p.A. banking group, and its subsidiaries and affiliates, also with regard to the anti-money-laundering/antiterrorism obligations (articles 41 and 42 of legislative decree 231 of 21 November 2007 as amended) (Disclosure to intermediaries in the Banca SISTEMA S.p.A. Group, even if located in third-party countries, is permitted on condition that they apply equivalent measures to those provided for under Directive 2005/60/EC on money-laundering);
- parties whose products and services are offered by the Bank;
- parties providing services related to management of the Bank's information system and IT programs;
- parties providing data acquisition and processing services (e.g. cheques and bills);
- providers of customer correspondence services (e.g. enveloping, email management);
- providers of document archiving services;
- providers of customer assistance services (e.g. by telephone);
- parties involved in the management of payment and online collection and cash flow management services;
- operators of national and international fraud control and prevention systems (e.g. debit/credit card fraud, fraud on other forms of payment; in the sector of consumer credit, deferred or extended payment terms etc);
- parties working to investigate and fight international terrorism;
- debt recovery agents;
- consultants;
- independent practitioners, public officials etc (e.g. when a customer intends to take out a mortgage or enter into a public deed with the Bank, or any other form of deed requiring certification by a Notary Public or other public official);
- providers of market research and market survey services, and parties involved in the promotion of products offered by the Bank or by third parties;
- parties carrying out searches – e.g. to verify adverse entries (legal charges, sale etc) against the customer on official registers, Companies Registers, or Court registers (to verify whether or not there are any insolvency proceedings in progress);
- parties who control, review and certify the operations carried out by the Bank, also in the interests of customers;
- vendors of a company, a business unit, legal relations sold en bloc or individually (e.g. the assignment of receivables);
- entities resulting from the conversion, merger or demerger of the Bank;
- parties managing activities related to the issue and use of credit, debit and prepaid cards (e.g. CartaSi S.p.A.);
- in the other cases mentioned in article 24 of the Data Protection Code, including, in particular, cases in which the data relates to economic activity.

The Bank outsources its data processing operations to various parties. The Bank also performs intermediation for the sale of products and/or services on behalf of third parties to whom the data subjects' details must be transferred. The Bank also needs to perform self-governance and check the quality of its own services as well as expand its offer. To this end, the Bank will inform companies offering this type of service of its customers' details, so that they can verify whether the Bank has met their requirements and expectations or whether there is a potential demand for other products and services. Customers may refuse to give consent for this type of communication and the related processes. The same rights may be exercised with regard to the disclosure of information to reputable external companies for marketing purposes. Parties in the categories eligible to receive personal information will handle it as independent data coordinators (as defined by law) within the scope of the existing contractual relationship. A list of such companies can be obtained from branches of the Bank open to the public, or on the website [www.bancasistema.it](http://www.bancasistema.it). The following categories may also receive the information, in their capacity as persons authorised to process the details necessary to fulfil their duties: employees of the Bank, employees on secondment with the Bank, temporary staff, trainees, financial advisers, consultants and employees of the external companies used by the Bank.

#### **V. Rights of the data subject (art. 7 Data Protection Code)**

The Data Protection Code attributes specific rights to the data subject, including the right to know the information held by the Bank, how that information is used, to obtain the cancellation, transformation into an anonymous form or blocking of information processed in breach of the Data Protection Code, the updating or rectification of the information or, if applicable, the integration of the information and to object to its use for legitimate reasons. Finally, the data subject may at any time object to the processing of information for the purposes of sending commercial or publicity materials, direct selling or market research.

#### **VI. Information on data protection relating to S.W.I.F.T. transfers**

An international messaging service will be used to carry out international financial transactions (e.g. cross-border bank transfers), and also in the case of certain national transactions requested by customers (e.g. bank transfers in foreign currency and/or with a non-resident counterparty). The service is managed by the "Society for Worldwide Interbank Financial Telecommunication" (SWIFT), based in Belgium (see [www.swift.com](http://www.swift.com) for information on data protection). The Bank will inform SWIFT (the owner of the SWIFT Net FIN system) of the details of the originator (e.g. the name of the person ordering the transaction, the beneficiary and the respective banks, bank details and value), and other details required to execute the transaction.) Currently, banks cannot execute the above transactions without using the interbank network and without providing the above information to that network.

With regard to the SWIFT service, two important points have emerged: **a)** All customer details used to execute (all) the above transactions are currently – for reasons of operational security – duplicated, transmitted and temporarily kept by SWIFT on a server owned by that company based in the USA; **b)** The data stored on that server can be used in the USA in accordance with the laws in that country. The competent US authorities (in particular the Department of the Treasury) have had access to that information – and may do so in the future – in accordance with measures deemed permissible under US antiterrorism laws. This issue has been widely debated in Europe by various institutions, with regard to European data protection laws.

Please note that the data subject still has the rights under article 7 of the Data Protection Code.

#### **VII. Information on data protection concerning consumer credit, reliability and prompt payment**

When a loan application is made, for the purposes of evaluating your creditworthiness, the Bank will use some of your personal details, which may have been provided by you or may have been obtained from database searches. This information will be kept by the Bank. For the purposes of better evaluating your credit risk, some of this information has been disclosed to the following credit information systems, governed by the code of conduct (published in the Official Gazette of 23 December 2004, no. 300): CRIF S.p.A., Cerved Group S.p.A.. You may access your information at any time. Full information in this regard is available from our website [www.bancasistema.it](http://www.bancasistema.it).