

CUSTOMER INFORMATION AS REQUIRED BY ARTICLE 13 AND 14 OF REGULATION (EU) 2016/679

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I. Data Controller and Data Protection Officer (DPO)

The Data Controller is

Banca Sistema S.p.A.
Largo Augusto 1/A, at the corner of via Verziere 13 - 20122 Milano Tel. +39 02 802801
Fax. +39 02 72093979
E-mail address: compliance&antiriciclaggio@bancasistema.it

The Data Controller has appointed a Data Protection Officer (“DPO”), whom you may contact to exercise your rights, as well as to receive any information relating to them and/or this document, by writing to privacy@bancasistema.it.

The Data Controller and the DPO shall handle your request, also through designated functions, and shall provide you, without undue delay and in any event within one month of receipt of the request, with the information on action taken in relation to your request.

We inform you that where the Data Controller has doubts concerning the identity of the natural person making the request, the Data Controller may request the provision of additional information necessary to confirm the identity of the data subject.

II. How and why the data are used

Banca Sistema S.p.A. (the “Bank”) informs you that the personal data it holds, which have 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, EU 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 data for the above purposes is obligatory and the consent of the data subject is not required for them to be processed.
2. Purposes closely related to the management of customer relations in the context of activities conducted according to the Bank’s Articles of Association, 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 data for the above purposes **is not mandatory**, but refusal to provide them may, depending on the relationship between the data 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)** Execution of activities aimed to present and promote different products and services provided by the Bank and by other companies belonging to the Banca Sistema Group (**direct marketing**); these activities can be conducted through telephone contact or automated systems (i.g. e-mail, sms, mms, fax) or by other communication tools; **b)** 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.; **c)** 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; including the events’ organization; **d)** Data transfer to third parties for the purpose of commercial information, market surveys, direct offers of their products and services by sending promotional and commercial communications by traditional contact methods (such as telephone calls with operator and traditional mail) and / or by automated system (such as fax, text and email). The provision of personal data 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 as the consent can only lead to an improvement in the service. The consent may be withdrawn at any time by notifying the Data Controller.

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. Special categories of data

The Bank processes special categories of personal data (racial or ethnic origin, religious, philosophical or other beliefs, political opinions, membership of parties, trade unions, associations or organisations of a religious, philosophical, political or trade union nature, as well as personal data revealing health status and sex life, in accordance with Article 9(I) of the GDPR) of its Customers solely to provide specific services and operations requested by them (in particular, payments involving trade unions, political forces and certain associations, and crediting of certain pensions or special insurance reimbursements. For specific services entailing access to special categories of personal data by the Bank, such as insurance-backed mortgages, life insurance policies, etc.). In such cases the Bank will only execute the operation with the written consent of the requesting party.

The consent may be withdrawn at any time by notifying the Data Controller.

IV. Persons who may receive the data or who may become aware of them as data processors or data controllers

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

- Financial Agents (“Agenti in attività finanziaria”) or other professional categories authorized to distribute products and services of the bank.
- 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 banking group, and its subsidiaries and associates, also with regard to the anti-money laundering/anti-terrorism obligations pursuant to Articles 35 and 36 of Legislative Decree no. 231 of 21 November 2007, as amended (disclosure to intermediaries belonging to the Banca Sistema banking group, even if located in third countries, is permitted on condition that they apply equivalent measures);
- parties whose products and services are offered by the Bank;
- parties providing services related to management of the Bank’s information system and IT programmes;
- 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. Nexi S.p.A.).

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' data, 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 processing. The same rights may be exercised with regard to the disclosure of data to reputable external companies for marketing purposes. Parties in the categories eligible to receive personal data will handle them as data controller or as independent data processors (as defined by law) within the scope of the existing contractual relationship. The following categories may also receive the information, in their capacity as persons in charge of data processing as necessary to fulfil their duties: employees of the Bank, employees on secondment with the Bank, temporary staff and trainees.

V. Rights of the data subject under Articles 15 and following of the GDPR

The exercise of the rights indicated in this section is not subject to any form of restriction and is free of charge, unless it is manifestly unfounded or excessive within the meaning of Article 12(5) of the EU Regulation. The Data Controller and the Data Processor shall be obliged to provide information on action taken by the data subject without undue delay and within one month of receipt of the request. Extensions are permitted under Article 12(3) of the EU Regulation.

In relation to the processing described in this information notice and in accordance with Articles 13(2) (b), (c) and (d), 15, 16, 17, 18, 19, 20, 21 and 22 of the EU Regulation, you may exercise the following rights as the data subject:

- **right of access**, i.e. right to obtain by the Data Controller confirmation that personal data about him or her is being processed and, in this case, to obtain the access to that data;
- **right to rectification**, the right that allows the data subject to obtain the correction inaccurate personal data without undue delay. Considering the processing's purposes, the data subject has the right to integrate incomplete personal data, also by providing an additional declaration;
- **right to erasure ('right to be forgotten')**, the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the grounds imposed by the Regulations applies ;
- **right to withdraw** the prior consent at any time, without affecting the lawfulness of processing based on the consent before its withdrawal;
- **right to restriction** of processing in cases where:
 - 1) the accuracy of the personal data is contested by the data subject, for a period enabling the Data Controller to verify the accuracy of the personal data;
 - 2) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
 - 3) the personal data are required by the data subject for the establishment, exercise or defence of legal claims; and
 - 4) the data subject has objected to processing pursuant to Article 21 of the GDPR pending the verification whether the legitimate grounds of the Data Controller override those of the data subject;
- **right to data portability**, namely that the data subject shall have the right to receive the personal data concerning him or her in a structured, commonly used and machine-readable format and have the right to transmit those data to another Data Controller without hindrance from the Data Controller to which the personal data have been provided;
- **right to object**, the data subject shall have the right to object at any time, for reason linked to his/her personal situation, to processing of his/her personal data when the processing is carried out for the pursuit of the legitimate interest of the Data Controller. The Data Controller shall no longer process the personal data unless the Data Controller demonstrates compelling legitimate grounds for the processing which override the rights of the data subject or for the establishment, exercise or defence of legal claims;
- **right to object to direct marketing**, the data subject shall have the right to object at any time to processing of his/her personal data for direct marketing purposes including profiling insofar as it is connected to direct marketing. The Data Controller shall no longer process the personal data for related purposes;
- **right to lodge a complaint** with the Italian Data Protection Authority (Garante per la protezione dei dati personali) if the data subject believes that his or her rights have not been respected. The "Garante per la protezione dei dati personali" contact details are available on the website www.garanteprivacy.it;
- right to obtain, in the case of an automated decision-making process, information on the logic involved in the processing in question, and to request human intervention by the Data Controller, and to be able to express his or her opinion or contest the processing.

Any rectification or erasure of personal data or restriction of processing carried out upon request from the data subject - unless it proves impossible or involves disproportionate effort - shall be notified by the Data Controller to each recipient to whom the personal data have been disclosed. The Data Controller may inform the data subject about those recipients if the data subject requests it.

To exercise the above-mentioned rights and communication you can contact: Banca Sistema S.p.A., Largo Augusto 1/A, at the corner of Via Verziere 13 (Tel. +39 02 802801, Fax. +39 02 72093979, email: compliance&antiriciclaggio@bancasistema.it) and the DPO (see point I).

V. 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 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.

We also remind you that the data subject retains his or her rights specified in the previous point V.

VI. Data storage times

The personal data processed by Banca Sistema are stored for the time necessary to achieve the purposes specified, after which they are deleted in accordance with the provisions of the law. In particular, in the event of termination of the relationship with customers, the personal data will be stored from the date of the event in order to comply with the legal provisions on the storage of accounting records, as well as any requests for further storage for judicial purposes, tax audits or for compliance with anti-money laundering legislation.

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.

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IX. Data export

Your personal data might be transferred outside the European Union or the European Economic Area (so-called Third Countries). The Bank ensures as of now that the transfer will be carried out in compliance with the current regulations. If necessary, an agreement will be stipulated in order to guarantee an adequate level of protection and / or the standard contractual clauses provided by the European Commission will be adopted. For more information, you can contact the DPO by writing to privacy@bancasistema.it.