

## **PRIVACY INFORMATION NOTICE TO NATURAL PERSONS PURSUANT TO ART. 13 AND 14 OF REGULATION (EU) 2016/679 FOR THE PROVISION OF QUALIFIED CERTIFICATES FOR ELECTRONIC SIGNATURES (THE “PRIVACY NOTICE”)**

The European Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“**General Data Protection Regulation**” or the “**Regulation**”) contains a series of rules aiming to ensure that the processing of personal data takes place in compliance with the rights and fundamental freedoms of natural persons. This Privacy Notice encompasses the data processing requirements set forth in the Regulation.

According to the decision dated 7<sup>th</sup> of April 2004, the Agency for Digital Italy (in Italian, “*Agenzia per l’Italia Digitale*”) (“**AgID**”) has enrolled the Bank (as defined below) in the public list of certifying bodies.

The Bank is therefore authorised to issue “qualified certificates for electronic signatures” as defined by EU Regulation n. 910/2014 of the European Parliament and of the council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (“**eIDAS Regulation**”) (the “**Certificates**”). Moreover, Accredia<sup>1</sup>, the Italian accreditation authority, certified that the Bank complies with the standards established by eIDAS Regulation in providing certification services. The Certificate may be used for the purposes indicated in Section 3.2 below.

### **SECTION 1 – IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER**

**Intesa Sanpaolo S.p.A.**, with registered office at 156 Piazza San Carlo, 10121 Turin, share capital of Euro 9,085,663,010.32, registered with the Turin Companies’ Register under registration number and fiscal code 00799960158 and VAT code 11991500015, registration number of Banking Register 5361, ABI code 3069.2 part of the “*Fondo Interbancario di Tutela dei Depositi e al Fondo Nazionale di Garanzia*” and parent company of the Intesa Sanpaolo Banking Group in its capacity of data controller (the “**Bank**” or the “**Data Controller**”), processes your personal data (as defined in Section 3 below) for the purposes indicated in Section 3 of this Privacy Notice.

For the purpose of this Privacy Notice:

“**Intesa Sanpaolo Banking Group**” means Intesa Sanpaolo S.p.A. and the companies owned and/or directly or indirectly controlled from time to time by Intesa Sanpaolo S.p.A., regardless whether or not they are enrolled into the register kept by the Bank of Italy.

For further information, please visit Intesa Sanpaolo’s website [www.intesasanpaolo.com](http://www.intesasanpaolo.com) and, in particular, “Privacy” section where you may find all the general information concerning the use and processing of personal data, the detailed references of each company, member of the Intesa Sanpaolo Banking Group, the updated information regarding the contacts and communication channels made available to all data subjects by Intesa Sanpaolo Banking Group.

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<sup>1</sup>Accredia is the Italian accreditation body appointed by Italian government, in compliance with the application of the European Regulation 765/2008, attesting the competence, independence and impartiality of certification, inspection and verification bodies, as well as testing and calibration laboratories. Accredia is a recognized association which operates (on a non-profit basis), under the vigilance of the Italian Ministry of Economic Development.

## **SECTION 2 – CONTACT DETAILS OF THE BANK’S DATA PROTECTION OFFICER**

The Bank appointed a data protection officer as required by the Regulation (the “**Data Protection Officer**” or “**DPO**”). With regard to all issues relating to the processing of your Personal Data and/or exercising the rights provided by the Regulation, as listed in Section 7 below, please contact the Data Protection Officer at [dpo@intesasanpaolo.com](mailto:dpo@intesasanpaolo.com).

## **SECTION 3 – CATEGORIES OF PERSONAL DATA, PURPOSE OF AND LEGAL BASIS FOR THE PROCESSING**

### **3.1 Categories of Personal Data**

In order to issue the Certificates, the Bank needs to collect and process, in its quality as Data Controller, the following information: name, surname, gender, date of birth, country of birth, state of birth (the geographic state in which the relevant data subject was born), nationality, tax code, identity document type (e.g. passport, national ID), number, issuer (i.e. the entity that has issued the identity document) and expiry date, the address of residence or domicile and the name of the employer, in case the Certificate is requested in quality as representative of a legal entity (the “**Personal Data**”).

### **3.2 Purpose of and legal basis for the processing**

The Personal Data collected from [*the name of the relevant ISP’s subsidiary bank to be inserted*] are processed by the Bank in its quality as Data Controller only for the purpose of the issuance of the Certificate. In particular, your Personal Data are processed by the Bank, in its role of certifier, to allow you to use the Certificate, according to the eIDAS Regulation, as well as with the Italian local laws applicable on electronic signature.

The submission of your Personal Data required by the Bank for the issuance of the Certificate is not mandatory, but your refusal to provide such data will not allow the Bank to issue the Certificate.

## **SECTION 4 – CATEGORIES OF RECIPIENTS TO WHOM YOUR PERSONAL DATA MAY BE COMMUNICATED**

In order to achieve the purpose indicated above, it might be necessary for the Bank to communicate your Personal Data to the following categories of recipients:

### **4.1 Companies belonging to the Intesa Sanpaolo Banking Group;**

### **4.2 Third parties operating within and outside the European Union that process your Personal Data in the context of:**

- provision of operational services related to Certificates;
- provision and procedures and IT systems management;
- provision of security management services;
- provision of auditing activities and consultancy in general;

#### **4.3 Authorities** (e.g. supervision, regulatory, judicial, administrative, etc.) **and public information systems**, such as, for instance, AgID.

The companies belonging to the Intesa Sanpaolo Banking Group and the third parties to which your Personal Data may be communicated will act as: (1) data controllers, namely subjects which determine the purposes and means of the Personal Data processing; or (2) data processors, namely subjects which process the Personal Data on behalf of the data controller; or (3) joint data controllers, namely subjects which determine, together with the Bank, the purposes and means of the Personal Data processing.

The updated list of the subjects identified as data controllers, data processors or joint data controllers may be requested by e-mail sent to [dpo@intesasanpaolo.com](mailto:dpo@intesasanpaolo.com) or [privacy@pec.intesasanpaolo.com](mailto:privacy@pec.intesasanpaolo.com)

### **SECTION 5 – TRANSFERRING PERSONAL DATA TO A THIRD COUNTRY OR TO AN INTERNATIONAL ORGANISATION OUTSIDE THE EUROPEAN UNION**

Your Personal Data are processed by the Bank inside the European Union and are not diffused.

If necessary, for technical or operational reasons, the Bank reserves the right to transfer your Personal Data to countries outside the European Union (the “Third Countries”) or to international organisations which, according to an adequacy decision issued by the European Commission pursuant to Article 45 of Regulation, ensure an adequate level of protection. In the absence of an adequacy decision, the Bank may transfer your Personal Data to a Third Countries or an international organisation adopting one of the appropriate safeguards set forth in Article 46 and 47 of the Regulation or basing the transfer on one of the specific derogations provided for in Article 49 of the Regulation.

### **SECTION 6 – PROCESSING METHOD AND PERSONAL DATA RETENTION TIME**

Your Personal Data will be processed using manual, electronic and telematic tools and in a way that ensures their security and confidentiality.

In particular, for the purposes set forth in Section 3 above, your personal data related to your signature will be retained for a time period of 20 years, starting from the sign of the contractual relationship you are part of. If after the expiry of the 20-year period, the contractual relationship is still in force, the personal data related to your signature and the Personal Data (as defined in Section 3.1) shall be kept for a further period of 10 years, starting from the end of the contractual relationship you are part of. Likewise, the personal data related to your signature may be processed for a longer time, should an act that interrupts the course of the term occur, entailing an extension of the data retention period.

Should the contractual relationship be expired before the 20-year period, the personal data related to your signature shall be, in any case, retained for 20-year period, starting from the sign of the contractual relationship you are part of.

The IT systems where the Personal Data will be stored are protected against the action of any type of cyber-attack with the most up-to-date security systems, certified according to the international standard ISO / IEC 27001: 2014 by a third party.

## **SECTION 7 – RIGHTS OF THE DATA SUBJECT**

In your capacity as data subject, you may exercise, at any time towards the Data Controller, the rights provided by the Regulation, listed below, by sending a specific request *via* email to [dpo@intesasanpaolo.com](mailto:dpo@intesasanpaolo.com) or [privacy@pec.intesasanpaolo.com](mailto:privacy@pec.intesasanpaolo.com), *via* post to Intesa Sanpaolo S.p.A., 156 Piazza San Carlo, 10121 Turin, Italy, or directly at any branch of the Bank.

Any communications and actions undertaken by the Bank in connection with exercising the rights listed below will be made free of charge. However, if your requests are manifestly unfounded or excessive, in particular due to their repetitive character, the Bank may charge you a fee, taking into account the administrative costs incurred, or refuse to process your requests.

### **1. Right of access**

You can obtain confirmation from the Bank as to whether or not your Personal Data are being processed and, if so, to obtain access to the Personal Data and the information envisaged under Article 15 of the Regulation, among which, by way of example, the purposes of the processing, the categories of Personal Data concerned, etc.

Where Personal Data are transferred to a third country or to an international organisation, you have the right to be informed of the appropriate safeguards relating to the transfer, as provided for in Section 5 above.

If requested, the Bank shall provide you with a copy of the Personal Data undergoing processing. For any further copies requested, the Bank may charge you a reasonable fee based on the administrative costs. If the request is submitted by electronic means, and unless otherwise requested, the information shall be provided by the Bank in a commonly used electronic form.

### **2. Right to rectification**

You may obtain from the Bank the rectification of your Personal Data that are inaccurate as well as, taking into account the purpose of the processing, their integration, if the data are incomplete, by providing a supplementary statement.

### **3. Right to erasure**

You may obtain from the Bank the erasure of your Personal Data, if one of the reasons provided by Article 17 of the Regulation occurs, including, by way of example, if the Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed or the consent on which the processing of your Personal Data is based was withdrawn by you or there is no other legal ground for the processing.

We hereby inform you that the Bank may not erase your Personal Data if (i) their processing is necessary, for example, to comply with a legal obligation, (ii) for reasons of public interest, (iii) for the establishment, exercise or defence a legal claim.

### **4. Right to restriction of processing**

You may obtain the restriction of your Personal Data if one of the cases provided by Article 18 of the Regulation applies, among which, for example:

- the accuracy of your Personal Data is contested by you for a period enabling the Data Controller to verify the accuracy of the Personal Data;
- you have objected to processing, pending the verification whether the legitimate grounds of the Data Controller override yours.

### **5. Right to data portability**

If the processing of your Personal Data is based on the consent or is necessary for the performance of a contract or to take steps prior to enter into a contract and the processing is carried out by automated means, you may:

- request to receive the Personal Data provided by you in a structured, commonly used and machine-readable format (e.g.: a computer and/or tablet);
- transmit your Personal Data to another Data Controller without hindrance from the Bank.

In addition, you may request to have your Personal Data transmitted directly from the Bank to another data controller indicated by you. In this case, you shall provide the Bank with all the exact details of the new data controller to whom you intend to transmit your Personal Data, providing the Bank with a written authorisation.

### **6. Right to object**

You may object at any time to the processing of Personal Data if the processing is carried out for the performance of a task performed in the public interest or is necessary for the purposes of the legitimate interest of the Data Controller (including profiling).

Should you decide to exercise the right to object, the Bank will abstain from further processing your Personal Data, unless compelling legitimate grounds for the processing occur (grounds which override your interests, rights and freedoms), or the processing is necessary for the establishment, exercise or defence of legal claims.

### **7. Automated decision process relating to natural persons, including profiling**

The Bank, when the creditworthiness requirements are met and within exact amount thresholds, adopt automated decision-making processes, among others, in order to issue credit cards, for applications for personal loans and finalised loans. In these cases, the Bank provides more details through a specific information notice and acquires, to this end, the explicit consent.

The Regulation grants the data subject the right not to be subject to a decision based solely on automated processing of his/her Personal Data, including profiling, which produces legal effects concerning you or similarly significantly affects you, unless the above-mentioned decision:

- a) is necessary for entering into, or performance of, a contract between you and the Bank;
- b) is authorised by the Italian or European law;
- c) is based on your explicit consent.

In the cases under letters a) and c), the Bank will implement appropriate measures to protect your rights, your freedoms and your legitimate interest and you may exercise the right to obtain the human intervention by the Bank, to express your point of view and to contest the decision.

**8. Right to lodge a complaint with the Data Protection Authority**

Notwithstanding your right to appeal to any other administrative, civil and/or criminal jurisdictional court, should you deem that the processing of your Personal Data takes place in breach of the Regulation and/or the applicable legislation, you may lodge a complaint before the Italian Data Protection Authority.