

## PRIVACY INFORMATION NOTICE

*pursuant to the articles 13 and 14 of the Regulation (EU) 2016/679*

### 1. Controllers and/or Joint Controllers of the processing

The companies of the SACE Group, listed hereafter, process their Personal Data, depending on the specific purposes pursued and stated in this privacy policy, independently or jointly, pursuant to the Regulation (EU) 2016/679 (hereafter “**GDPR**”).

- **SACE S.p.A.** with head office in Rome, piazza Poli no. 37/42 (00187), tax code and VAT no. 05804521002
- **SACE Fct S.p.A.** with head office in Milan, via San Marco no. 21/A (20121), tax code and VAT no. 06560010966
- **SACE BT S.p.A.** with head office in Rome, piazza Poli no. 37 (00187), tax code and VAT no. 08040071006
- **SACE SRV S.r.l.** with head office in Rome, piazza Poli no. 42 (00187), tax code and VAT no. 09629971004

hereafter, separately the **Controller/s** or jointly the Joint **Controllers**.

The aforementioned companies act in the capacity of independent Controllers of personal data processing for the purposes as under paragraph 3. Furthermore, the same companies may act in the capacity of Joint Controllers regarding personal data processing for marketing purposes, as specified in paragraph 4, if the purposes and means of processing have been previously established jointly by concluding a specific agreement pursuant to art. 26 of the GDPR.

The Joint Controllers, in order to facilitate the relationships between you and each Controller, have designated a Data Protection Officer (DPO), who may be contacted writing at this email address [privacy@sace.it](mailto:privacy@sace.it).

### 2. Sources and Types of data processed

The Personal Data processed by the aforesaid Controllers are collected directly from the customers, including through the use of remote communications techniques (such as the website and the web services included in it), or from third parties, such as for example, Public Administration, Public Registries, Chambers of Commerce and Private Company Databases.

If the Controllers should acquire data from external companies, for the purposes of commercial information, market research or direct offers of products and services, a privacy policy will be provided at the time of recording the data or, in any case, not later than any initial communication.

The data processed by the Controllers may include personal and identifying information (name, surname, date of birth, photo, gender, marital status, tax code, etc.) and contact information (telephone number, e-mail address, home/residence address). Furthermore, in fulfilling specific obligations related to the Legislative Decree n. 159/2011 (“ Antimafia Code) and the Law Decree n. 23/2020 (“Liquidity Decree”) and also the obligations related to the management of the existing relationship with the customer (for example, the mandatory reporting to the Authorities),

the Controllers will be able to process judicial data under art. 10 of the GDPR. Furthermore, it may occur that the Controllers process also special categories of data under art. 9 GDPR.

Regarding the activities carried out by SACE SRV (a group Company specialised in commercial information and debt collection) in its capacity of Controller, including on the basis of a special authorisation of the prefecture (pursuant to art. 134 of the Consolidated Law on Public Security), it collects and processes both personal data provided directly by the data subjects and certain personal data originating from public registries, lists and archives or contained in deeds or documents of public knowledge (kept, for example, by Chambers of Commerce or by the Taxation Authorities) or in any case generally accessible (inasmuch as they are taken, for example, from category lists, press news and internet websites that can be consulted by anyone).

SACE SRV may acquire information regarding organisational, production, industrial, commercial, economic, financial, goodwill, administrative and accounting aspects related to the activity carried on by traders (such as, for example, individual or family businesses, small businesses, professionals, important corporate officers, etc.), as well as data referring to natural persons who are not engaged in any entrepreneurial or professional activity (commercial information also includes data relating, for example, to company reports, financial statements, protests and insolvency proceedings, registered payment defaults and mortgage data, as well as any judicial data reported in public sources or generally accessible to anyone).

In the cases strictly laid down in the **Code of conduct for personal data processing carried out with regard to commercial information** (approved by the Italian Data Protection Supervisor with its Decision of 12 June 2019, published in the Official Journal No. 127 of 12 June 2019), SACE SRV may, in its capacity of Controller, process data regarding criminal convictions and offences (art. 10 of the GDPR) originating from public sources or, in certain circumstances, also from sources that are generally accessible.

This Privacy Policy is also addressed to third parties whose personal data you provides.

### 3. Purposes and legal basis of processing carried out by the data Controllers

Each Data Controller, with the exception of specific cases of joint controllers as stated hereafter, may request the provision of your personal data for the purposes of processing as follows:

- a) purposes strictly connected with and instrumental to setting up and handling relationships with the customers (e.g. obtaining information prior to entering into a contract, performance of operations on the basis of the obligations arising from contracts agreed with the customers, debt collection activities etc.) pursuant to art. 6 (1) (b) of the GDPR. For the aforesaid purposes, your personal data will be processed by SACE group companies and disclosed to third parties;
- b) purposes arising from legal obligations (such as, for example, the control activities aimed at preventing the money laundering and the financing of terrorism in according to the Legislative Decree n. 231/2007 ("Decree AML"), regulations, EU legislation, measures issued by Authorities authorised to do so by law or by Supervisory or Monitoring Organs (pursuant to art. 6 (1) (c) of the GDPR);
- c) purposes related to the establishment, exercise or defence of a right in judicial proceedings: the information collected for this purpose will be used exclusively to prevent and/or detect any fraudulent activity or abuse, as well as to enable each Data Controller to protect its interests and rights in extrajudicial and/or judicial proceedings. The legal basis for this processing is therefore the pursuit of a legitimate interest pursuant to art. 6 (1) (f) of the GDPR.

The provision of personal data for the purposes as under points a) and b) is required to complete, give effect to or proceed with the contractual relationship with the Controllers. Therefore, without providing these personal data you could not establish the contractual relationship with the Controllers.

SACE SRV may, in its capacity of Controller, provide commercial information services to third parties who request them (its clients) in order to assess the activities, solidity and capability of an individual on an economic and commercial level and to carry out checks on any commercial relationships in progress or to be set up (which, for the lack of full accurate information, might remain precluded) and for the safeguarding of the relevant rights.

The personal data acquired by SACE SRV may also be subjected to further analysis or statistical processing, either in automated form or with the involvement of experts, in order to give a summary assessment or an opinion or to award a score on the level of reliability, solvency or capability on an economic and commercial perspective of a business or individual data subject, and/or on the risk of insolvency for a business, taking into account, for example, its overall assets, economic and financial situation, as well as its past and current credits and debts, including consideration of subjects with important responsibilities or duties.

The data processing, for the purposes of commercial information as described above, even when used to formulate, in the terms previously specified, an opinion on the solidity, solvency and reliability of the identified subject, is based on the need to pursue the legitimate interests of SACE SRV, which provides commercial information services, and of the clients requesting them, not only to carry out the due verifications of the economic, financial and capital situation of the data subjects, for the purpose of ensuring protection, prior to setting up and managing commercial relationships, including at pre-contractual level, to supplying goods and services and to defining the relevant terms and conditions of payment, but also to comply with the related regulatory obligations, including those regarding anti-money-laundering, prevention and countering of fraud and safeguarding the relevant rights, including through the courts.

It is understood that this processing shall be carried out in full compliance with the **Code of good conduct for personal data processing with regard to commercial information** and, in accordance with the interests and the fundamental rights and freedom of the data subjects, pursuant to art. 6(1) (f) of the GDPR.

SACE SRV belongs to A.N.C.I.C., the National Association of Commercial Information Businesses, which provides data subjects with the privacy policy on data processing for purposes of commercial information through its website [ancic.it](http://ancic.it).

With reference to the processing of debtors' personal data, SACE SRV must be appointed by its clients as processor of personal data to undertake/for the purpose of debt collection activities.

#### 4. Processing carried out in Joint Controller regime

The Joint Controllers, as identified in paragraph 1 of this privacy policy, have set down a Joint Controller Arrangement in compliance with article 26 of the GDPR.

Through this arrangement, the Controllers agree to process jointly the data collected in the exercise of their activities for marketing purposes. Specifically, the object of these activities is to:

- send advertising material, sell directly, carry out market research and commercial communication;
- quality monitoring, including by remote communication techniques, whether automated (such as e-mail, SMS, instant messaging) or traditional (such as calls by operators);

The provision of data for marketing purposes is optional and the processing of such data is subject to consent. The lack of consent to the processing will not give consent to the stated promotional activity, but will not prejudice the data subject in any way.

For the aforesaid purposes, the Joint Controllers have also jointly determined the methods of processing, within the framework of the specific arrangement, and have defined the procedures, in a clear and transparent manner, for



providing the data subject with a prompt response, if they wish to exercise their rights, as laid down by articles 15, 16, 17, 18 and 21 of the GDPR, as well as in the cases of data portability laid down by article 20 of the GDPR.

## **5. Methods of data processing**

With regard to the purposes shown, the personal data processing is done with manual, IT and telematic means, with logics that are strictly related to the purposes themselves and, in any case, so as to guarantee the security and confidentiality of the data itself.

## **6. Storage of personal data**

Your personal data are kept only for the period required for the purposes they were collected for, in accordance with the minimization principle under art. 5(1)(c) of the GDPR and, with reference to the promotional and marketing purposes, until consent to the processing is revoked.

The Controllers might keep certain data even after termination of the relationship, on the basis of the time required for dealing with specific contractual or legal fulfilments, as well as for administrative, taxation and/or contribution purposes, for a period set by legislation and regulations in force, as well as for the time required to enforce any rights in court.

In any case, the data is processed not only in compliance with the laws in force, but also in accordance with the rules on confidentiality, inherent in carrying out financial activities, by which the Controllers of the processing have always been inspired.

Regarding its own activities, SACE SRV keeps information originating from public sources and pertaining to negative events, for the purposes of supplying commercial information services, in accordance with the following time limits:

- Information referring to bankruptcy or insolvency proceedings, for a time period not exceeding 10 years from the date of initiation of the bankruptcy proceedings; on expiry of that period, the aforementioned information may be further used by our Company, but only where there is other information relating to a subsequent or further bankruptcy or if insolvency proceedings are known to have been initiated against the listed subject or another associated subject, in which case, the processing may be extended for a maximum period of 10 years from the respective initiation;
- the information relating to detrimental acts and mortgage deeds (mortgages and foreclosures) for a period of time not exceeding 10 years from the date of their registration or recording, unless they are cancelled prior to that time limit, in which case, the note of the confirmed cancellation will be kept for a period of 2 years

Notwithstanding what has just been stated, the personal data originating from sources identified under the preceding paragraph 2 may be kept by SACE SRV, for the purposes of providing customers with commercial information services, for the period they remain recognizable and/or published in such sources, in accordance with what is laid down in the respective regulations of reference.

## **7. Categories of recipient to whom the data will be disclosed**

The Controllers may disclose your personal data to third parties, for the purposes as under paragraph 3 letters a) and b) without your prior consent. Further data may be disclosed to the supervisory authorities, if relevant to the existing guarantee relationship. Your data may also be disclosed to third parties in fulfilment of legal obligations.

With your consent, the Joint Controllers will be permitted to disclose your personal data to third party companies who will process them in their capacity of independent data controllers, for the purposes of commercial information, statistical analysis, market research and direct offers of their products and services, made by means of traditional and automated methods for contact.

The Controllers will be permitted to disclose your personal data to third parties who will operate in their capacity of independent Controllers or who will be designated as Data Processors and who are essentially included in the following categories:

- subsidiary or associated companies
- public or private entities who detect financial risks for the purpose of preventing insolvency risks, as laid down by legislation;
- subjects who perform banking, financial and insurance services, including subjects who are involved in managing payment, tax collection and treasury systems;
- subjects who provide services for managing the information system, including the websites of SACE and its group companies, web applications and telecommunications networks (including e-mail);
- subjects who perform mailing, enveloping, transportation and sorting of correspondence with customers;
- subjects who carry out activities of filing and storing, including IT, of documentation regarding relationships with the customers;
- debt collection companies;
- persons, companies, associations or professional practices that provide assistance and consultancy services or activities to SACE group companies, with particular, but not exclusive, reference to matters regarding accountancy, administration, law, taxes and finance;
- subjects who ensure performance of checks, audits and certification of the activities set up by SACE companies, also in the interests of customers.

## **8. Transfer of data outside the EU**

Any transfer of data to third countries outside the EU for the purposes shown under the preceding points 3 and 4 may occur, in accordance with the methods permitted by legislation in force and in particular on the basis of the provisions of the GDPR under: i) art. 44, General principle for transfers; ii) art. 45, Transfers on the basis of an adequacy decision; iii) art. 46, Transfers subject to appropriate safeguards; iv) art. 49, Derogations for specific situations.

The data may therefore be transferred:

- to third countries or to international organizations, if the European Commission has decided that such Countries or organizations ensure an adequate level of protection (art. 45 of the GDPR)
- to third countries or international organizations which have provided appropriate safeguards (for example implementation of Standard Clauses approved by the European Commission), on condition that enforceable data subject rights and effective legal remedies for data subjects are available (art. 46 of the GDPR)
- to third countries or international organizations, on the basis of Binding Corporate Rules (BCR) for companies forming part of the same group of undertakings (art. 47 of the GDPR)
- to third countries or international organizations, on the basis of the derogation laid down in art. 49 and in particular those under paragraph 1, letter b) performance of a contract; c) conclusion or performance of a

contract concluded in the interest of the data subject between the Controller and another natural or legal person.

### 9. Rights of the data subject

Lastly, you are informed that arts. 15-22 GDPR grant data subjects the possibility of exercising specific rights; the data subject may obtain from the Controller: access to, rectification and erasure of data, restriction on processing and revocation of consent, as well as portability of the data concerning them.

The data subject also has the right to object to the processing. If the right to object is exercised, the controller and/or the joint controlling companies reserve the right to refuse the request, and to continue to process the data where there are compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the data subject.

The aforementioned rights may be exercised on request sent by post to this e-mail address [privacy@sace.it](mailto:privacy@sace.it) and/or by writing to the Data Protection Officer c/o SACE S.p.A. piazza Poli, n° 37/42, 00187 – Rome or by sending a written request to:

- **SACE BT S.p.A.** with head office in Rome piazza Poli no. 37 (00187), for the attention of the Data Protection Officer or to this e-mail address: [privacy@sacebt.it](mailto:privacy@sacebt.it)
- **SACE Fct S.p.A.** with head office in Milan via San Marco 21/A (20121), for the attention of the Data Protection Officer or to this e-mail address: [privacy@sacefct.it](mailto:privacy@sacefct.it)
- **SACE SRV S.r.l.** with head office in Rome piazza Poli no. 42 (00187), for the attention of the Data Protection Officer or to this e-mail address: [privacy@sacesrv.it](mailto:privacy@sacesrv.it)

The data subject also has the right to make a complaint to the Personal Data Protection Supervisor, in case of violation of personal data, following the instructions and indications published on the this website: [www.garanteprivacy.it](http://www.garanteprivacy.it)

The consent given may be revoked at any time writing to the following e-mail addresses: [privacy@sace.it](mailto:privacy@sace.it), [privacy@sacebt.it](mailto:privacy@sacebt.it), [privacy@sacefct.it](mailto:privacy@sacefct.it), [privacy@sacesrv.it](mailto:privacy@sacesrv.it).

### Request for consent

Having read and understood the privacy policy on:

I, the undersigned (first name surname).....

Consent

to the processing of Personal Data by the Joint Controllers (SACE S.p.A., SACE fct S.p.A., SACE BT S.p.A. and SACE SRV S.r.l.) for the sending of promotional and marketing communications, including the sending of newsletters and market research, through automated means (sms, mms, email, push notifications, fax) and not (paper mail, telephone with operator) to inform you about purchase opportunities and promotions of products and services provided by the Joint Controllers.