

Privacy Notice

(Arts. 13 and 14 of Regulation (EU) 2016/679)

1. Data controller and Data protection officer

BPER Banca S.p.A. with its registered office in Modena, Via S. Carlo 8/20 as data controller (hereinafter: "**BPER**"), is committed to protecting the privacy of natural persons whose Personal Data as better defined hereinafter, is collected through BPER's data forms (e.g. forms for bank transfers, collectively "**Forms**"). The present document provides important information regarding BPER's Privacy Policy and the processing of your Personal Data. This Privacy Notice shall inform you how to give your valid and informed consent to the processing of your Personal Data, where applicable. All information and data provided by you to BPER or collected by BPER both through the Forms, in order to provide the BPER's Services, as better defined in Section 3, will be processed by BPER in a lawful, transparent and fair manner. BPER will process your Personal Data in accordance to Regulation (EU) 2016/679 ("**Regulation**") and to the internationally recognized principles of purpose limitation, data retention, data minimization, accuracy, integrity and confidentiality.

The BPER Group has appointed a Data Protection Officer ("**DPO**") and should you need any additional information regarding the processing of Personal Data, the available address and email address are as follows:

- BPER Banca Spa – Privacy Office and Data Protection, Via Ramelli 49 – 41122 Modena;
- email: dpo.gruppobper@bper.it

2. Categories of Personal Data

Through the Forms, BPER collects and processes Personal Data of the data subject (as a natural person) and also – when it is shared - of other natural persons who allow to be identified *per se* or together with other collected information. Information which will identify or make identifiable a natural person is classified as **Personal Data** and may be collected by BPER when Personal Data is provided through the Forms and the provision of Services.

Personal Data which may be processed by BPER - through or thanks to Forms - is:

- I. **Personal Data such as name and contact details:** this may include, although while being non-exhaustive, name, family name, fiscal code, telephone number, e-mail address, image and ID details of the natural person who fills in the Forms.
- II. **Special Categories of Personal Data (so-called "sensitive data"):** such as data about your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or data concerning your health that may be provided (consciously or not) through Forms in order to require a specific Service (e.g. bank transfers to political parties, religious associations or the "8x1000). BPER will need your specific consent in order to process this Personal Data.
- III. **Third Parties Personal Data:** this deals with third parties' Personal Data provided by filling in the Forms. In these cases, whoever fills in the Forms is considered as the data controller and must assume all inherent legal obligations and responsibilities against any complaints, claims or demands for compensation for damages which may arise from the processing of this Personal Data etc. and received by BPER from third parties whose Personal Data are processed through Forms in violations of data protection applicable laws. In any case, when third parties' Personal Data are provided through Forms, whoever provides data guarantees to have an appropriate legal basis which may allow for a lawful processing of such information (e.g. consent).
- IV. **Personal Data from Data Bases:** this deals with Personal Data collected by authorized third parties, as better specified hereinafter and related to the provision of Services (e.g. consumer credit).

3. Purposes of processing, legal bases and discretionary nature of processing

Personal Data as aforementioned will be processed, according to specific consent where applicable, for the following purposes:

- a) To provide any assistance or information specifically required ("**Response**" purpose);
- b) To comply with obligations arising or related to existing contracts with BPER. These may include the processing of Special Categories of Personal Data (i.e. so-called sensitive data) or the transfer and crossroad of Personal Data from Databases managed by authorized third parties to creditworthiness (collectively "**Services**"). As better explained in the "**Integrative Notice on credit information systems**" available at bank counters and on BPER's website, in order to provide some Services (e.g. loans) it is necessary to analyse the creditworthiness and to prevent frauds or illegal behaviour by the customer, by giving a specific risk level. This analysis is carried out through Databases which assess credit risk, fraud prevention, misconduct or through Personal Data provided by the Data Subject to BPER. This is a semi-automated process: once the algorithms have collected and elaborated information, giving back a brief opinion or a rating related to the degree of reliability and solvency of the customer which is periodically updated so as to avoid errors (so-called *credit scoring*). BPER always provides a human qualified intervention in order to confirm the provision of the Service required or not. If the score turns out to be negative, the provision of the Service may be denied. The customer may exercise the right to object to the refusal as indicated in Section 6 (the provision of the Service is collectively defined as the "**Service Provision**" purpose).
- c) To comply with the law, which forces BPER to collect and/or further process certain kinds of Personal Data (e.g.: obligations arising from customer due diligence and transfer of your Personal Data in compliance with the provisions on anti-money laundering and counter-terrorist financing, obligations arising from the provisions on assessment and enforcement of tax violations, usury law, Central Risks as well as potential future obligations arising from national and European law ("**Compliance**" purpose);
- d) For direct marketing via email related to Services similar to those already purchased or used, unless objecting by writing to the contacts listed below in Section 6 or later on the reception of e-mails for marketing purposes ("**Soft Spam**" purpose);
- e) To conduct studies, research, market statistics; sending out advertising, information and promotional material of BPER and/or third companies of the BPER's Group; to send surveys in order to improve BPER's services ("customer satisfaction"), via e-mail, SMS and MMS, by post, phone calls, and or via official pages of BPER on social networks ("**Marketing**" purposes);
- f) To transfer your collected Personal Data to third parties belonging to the following business sectors: manufacturing, supply of electricity, gas, steam and air conditioning, wholesale and retail trade, repair of motor vehicles and motorcycles, transport and storage, accommodation and catering services, information and communication services, banking activities, financial and insurance, professional, scientific and technical activities, rental, travel agencies, business support services, artistic and sports activities, entertainment, associations activities, repair of computers and goods for personal and home use, wellness and well-being services, aesthetic or cosmetic services and hairdressing, in order for these parties to promote their products and the services which they deliver ("**Communication to Third Parties**" purpose);
- g) To create profiles of data subjects who are used to carrying out marketing activities such as aforementioned in point e) of this privacy notice, through promotional activities focused on their requirements, preferences and habits. These activities may be carried out on the basis of data subject's information such as the lack of delayed payments or disputes, age, employment, income, place of residence, products and services already purchased from BPER ("**Profiling**" purposes).

The processing for the purposes of **Response** and **Service Provision** is necessary to execute a contract to which the data subject is a party or to take pre-contractual measures adopted at his request. When supplying the Service implies that the processing of Special Categories of Personal Data (so-called "sensitive data") or that the retention of positive credit information and Forms require a separate and specific consent. The provision of Personal Data for the aforementioned purposes is optional, but in case of a failure to do so it will be not possible to give Response nor to deliver the Service Provision.

The legal basis for the **Compliance** purpose is the necessary compliance of a legal obligation by BPER and BPER's legitimate interest to defend, exercise and establish a right. In this case, the Personal Data provided by customers to BPER may be transferred to some recipients as previously indicated in Section 4.

For **Marketing, Profiling** and **Communication to Third Parties purposes**, the legal basis is the specific consent that is provided through the Forms. This specific consent is optional and may be withdrawn at any time by writing to the contacts enclosed in Section 6. Otherwise, in the cases of **Marketing** and **Soft Spam** purposes, this specific consent can also be withdrawn by selecting the appropriate link enclosed at the bottom of every email received. Giving consent is not mandatory for these purposes and data subjects may revoke their consent previously given by following the instructions in Section 5.

For the purpose of **Soft Spam**, BPER- for the direct selling of BPER Services - uses email contacts provided by data subjects through the Forms and collected while selling a Service. In this case and if the Services are similar to those already purchased or used, BPER will not request your consent, unless the data subject refused this use when having been initially informed or during subsequent communications.

4. Recipients and transfer of Personal Data

Personal Data may be shared with:

- persons authorised by BPER to process Personal Data which are subject to an appropriate legal obligation of confidentiality (e.g. employees and System Administrators of BPER);
- persons who typically act as data processors on behalf of BPER, including but not limited to: persons, companies or professional firms providing BPER with consultancy, service desk, e-mail and mail services;
- companies belonging to the BPER Group for internal administrative purposes based on legitimate interest;
- entities, bodies or authorities to whom your Personal Data must be disclosed, in accordance with the provision of Services (e.g. bodies or authorities (e.g. credit information providers, SWIFT system regarding international bank transfers, foreign currency or non-resident beneficiary and acting as data controller – for more information please refer to www.swift.com) or in accordance with the applicable law or binding orders of those entities, bodies or authorities for Compliance purposes (e.g. Consap, Tax Register, Judicial Authority, U.S. Authorities in case of communication to the SWIFT);
- entities for Communication to Third Parties purposes.
(collectively "**Recipients**");

Some of your Personal Data may be transferred to Recipients located outside the European Economic Area (e. g. in the case of foreign bank transfers, foreign currency or non-resident beneficiary, where a U.S. bank transfer may take place as indicated at www.swift.com).

BPER ensures the lawfulness and security of these Personal Data transfers. Transfers are carried out through relying on by relying on adequacy decisions from the European Commission, standard data protection clauses adopted by the European Commission, or other legal basis.

More information on these transfers is available upon written request to BPER at the following address:

- BPER Banca Spa – Privacy Office and Data Protection, Via Ramelli 49 – 41122 Modena;
- email: dpo.gruppobper@bper.it

5. Retention of Personal Data

Personal Data processed for the purposes of **Response** and **Service Provision** will be kept for the period of time deemed strictly necessary for the aforementioned purposes.

Personal Data processed for the purposes of **Marketing** and **Profiling** will be kept by BPER from the time that the data subject consents until the moment its withdrawal. In any case, BPER will remind the consents which the data subject has provided on a regular basis.

Once consent is withdrawn, Personal Data will no longer be used for these purposes, although log files related to consent and objection may still be kept by BPER as long as it may be necessary to protect BPER's interests concerning potential liability in relation to this processing.

Personal Data processed for the **Soft Spam** purpose will be kept by Data Controllers until the data subject objects to such processing, through the link at the bottom of each of the Soft Spam emails received.

Personal Data processed for the **Compliance** purpose will be kept by Data Controllers for the required period under a specific legal obligation or under applicable law.

In any case, data retention is reserved for the purposes of defence in court, under applicable law and notably pursuant to Art. 2946 et seq. More information can be made available to you upon request to the DPO.

6. Data subjects' rights

Data Subjects are entitled to exercise their right to access their Personal Data at any time, as well as to ask for the correction or erasure of their Personal Data or they can object to their processing. Data subjects are entitled to request the restriction of the processing under the circumstances provided by Art. 18 of the Regulation and to obtain a copy of their Personal Data in a structured, commonly used and machine-readable format, pursuant to Art. 20 of the Regulation.

For Services which include a semi-automated decision based on Personal Data, the data subject also has the right to express his / her opinion and / or to contest the semi-automated decision that has been made, by requesting the intervention of a person authorized by BPER to modify it.

In order to exercise all your rights described herein, written requests can be sent to BPER at the following address:

- BPER Banca Spa – Privacy Office and Data Protection, Via Ramelli 49 – 41122 Modena;
- email: presidio.privacy@bper.it

In any case, the data subject is entitled to file a complaint with the competent supervisory authority for the protection of Personal Data, if he or she believes that the processing of their Personal Data has been performed unlawfully, pursuant to Art. 77 of the Regulation.

7. Amendments

This privacy notice has come into force on the 20/05/2018. BPER may modify this privacy notice, also as a consequence of any subsequent amendments and/or additional regulations. The amendments will be notified in advance and the data subject will be able to view the content of the information notice on the BPER website, in its own home banking and at BPER branches.

Having read and understood this Information Notice

Surname/ Name _____

NDG _____

Dip.Cod. _____

- I consent I do not consent
➤ to the processing of my Personal Data for Marketing purposes

- I consent I do not consent
➤ to the processing of my Personal Data for Profiling purposes

- I consent I do not consent
➤ to the processing of my Personal Data for Communication to Third Parties purposes

- I consent I do not consent
➤ to the processing of my Special Categories of Personal Data (so-called "sensitive data") used or related to the Service Provision as defined in this Privacy Notice.

Readable Date and Signature

(Bank Copy)