

## Information Notice in accordance with articles 13 and 14 of Regulation (EU) 2016/679 and current national legislation on personal data protection

In accordance with Regulation EU 2016/679 (hereinafter the "**GDP Regulation**" or the "**GDPR**") and current national legislation in force on the protection of personal data (hereinafter, together with the GDPR, the "**Privacy Legislation**"), MBFACTA S.p.A., with registered office in Milan, at Via Siusi 7 (hereinafter the "**Company**" or the "**Controller**"), as Data Controller, is required to provide an Information notice on the use of personal data.

The personal data in the Company's possession are normally collected directly from the data subject and may occasionally come from third parties (e.g. the Controller acquires data from external Companies for commercial purposes, for market research, direct offers of products or services or when your data are acquired through public and private databases (e.g. land registry/mortgage searches, adverse entry/protest searches, risk registers, etc.)).

The processing concerns personal information relating to the data subject, which is processed when entering into a contract with the Company, as well as in the stages prior to the establishment of the contractual relationship and up to its conclusion. This information is considered personal data pursuant to the GDPR insofar as it relates to a natural person. Data are also to be considered personal data where, in the case of a legal person, they relate directly or indirectly to identified or identifiable natural persons (e.g. directors, employees, managers, collaborators or consultants of such legal person).

### **a) Purposes of the processing and compulsory nature of data conferral**

All personal data are processed in compliance with provisions of law and confidentiality obligations, for activities that are strictly connected and instrumental to the following purposes:

- I. purposes connected to obligations laid down by the law, regulations or European Community rules, as well as instructions given by competent supervisory and oversight authorities or bodies (e.g. with regard to central credit register, usury, anti-money laundering, tax burden etc.). The provision of personal data for these purposes **is mandatory**. Failure to provide the data will prevent the Company from performing the activity you requested, which assumes the fulfilment of a legal obligation by the Company;
- II. purposes strictly connected and instrumental to the performance of contractual obligations, fulfilment of specific requests of the data subject prior to the conclusion of the contract. The provision of personal data for these purposes **is mandatory** as it is necessary for the fulfilment of obligations arising from the contract. Failure to provide your data will make it impossible for the Company to meet your pre-contractual/contractual requests and to perform the contract;
- III. purposes connected to any corporate events (sale of the Company or business units), due diligence or for the defence of legal claims and in relation to the associated preparatory activities (i.e. warnings and activities required for forced debt collection, etc.). If the prerequisites are met, the data subject may still exercise the right to object as set out below;

- IV. purposes of sending invitations to events or for institutional communication purposes (both on limited occasions). If the prerequisites are met, the data subject may still exercise the right to object as set out below;
- V. purposes connected with the detection of the clients' degree of satisfaction on quality of service and on the activities provided by the Company (executed directly or through specialized companies), with the promotion and selling of the Company products and services via letters, telephone, advertising material, electronic communications, market research activities, tailored invitations and complimentaries, public relation activities, also focused or customized, including the involvement of companies that provide activities of transmission, packaging, transportation and sorting of communications to clients, and also in relation to the communication of such data to the Mediobanca Group's companies. Provision of your consent for these purposes **is not mandatory**. Failure to provide Your consent will not impact the fulfillment of Your requests and the execution of Your contracts but will prevent the Company from sending commercial communications;
- VI. purposes connected with products and services offered by other companies of Mediobanca Group, as well as the carrying out of public relations activities, also focused and/or customized, from other companies of Mediobanca group. Provision of your consent for these purposes **is not mandatory**. Failure to provide Your consent will not impact the fulfillment of Your requests and the execution of Your contracts but will prevent the Company from sending commercial communications.

#### **b) Legal basis**

The legal basis for processing pursuant to point I) above is the fulfilment of the legal obligations assigned to the Company

The legal basis for processing pursuant to point II) above is the need to perform the contract concluded with the Company.

The legal basis for processing pursuant to point III) above is the Company's legitimate interest in the continuation of its business activities and the protection of its rights.

The legal basis for processing pursuant to point IV) above is the legitimate interest in maintaining the relationship with the data subject and providing institutional information.

The legal basis for processing pursuant to point V) and VI) above is the consent expressed from You.

#### **c) Processing method**

The processing of your personal data shall take place, in compliance with the provisions of Privacy Legislation, by means of hard copy, computer or electronic tools, with approaches strictly related to the purposes specified and, in any case, with methods suitable to guarantee security and confidentiality in accordance with Privacy Legislation.

#### **d) Categories of data processed**

In relation to the above purposes, the Company processes your personal data including, but not limited to, personal details (such as, for example, name, surname, address, telephone number, email address, date of birth, identity card, health card, tax code, marital status, nationality, customer code), data relating to credit applications/relationships and accounting data. In addition, information concerning events related to the performance of the contract may be processed if it relates directly or indirectly to the data subjects.

**e) Disclosure and dissemination of data**

For the pursuit of the purposes described in point a) above, your personal data will be made known to employees of the Company who will act as authorised data processors.

Your data may also be disclosed to:

- a) other companies belonging to the Mediobanca Group;
- b) subjects that provide support services for the execution of your instructions and/or provisions given by you for the management of credits;
- c) subjects engaged in the issue, offer, placement, trading and custody of banking, financial and insurance products and/or services;
- d) third-party companies, in relation to any receivables assignment operations arising from the agreement you signed with the Company, or group's companies to which they belong, for the purpose of receivables selection;
- e) subjects that support credit screening, evaluation, disbursement, collection and insurance activities;
- f) subjects that handle the enveloping, mailing and archiving of documents relating to customer relationships;
- g) other subjects on which the Company relies in various capacities for the provision of the requested product or service;
- h) subjects that provide services for the management of the Company's IT system;
- i) subjects that provide credit recovery services or professional tax, legal and judicial advisory and assistance services;
- j) subjects that audit and certify the financial statements;
- k) supervisory and oversight authorities and bodies and, in general, public or private entities with public functions in the event of a request from them or in the event of a legal obligation;
- l) third parties acting as providers of payment order instruction or account information services;
- m) marketing and market research companies;
- n) subjects that identify financial risks in order to prevent the risk of default such as, for example, the Bank of Italy;
- o) subjects that manage national and international systems to control fraud against banks and financial intermediaries;
- p) archive set up at the Ministry of Economy and Finance (hereinafter MEF), pursuant to arts. 30-ter, paragraphs 7 and 7-bis, and 30-quinquies, of Legislative Decree no. 141 of 13 August 2010, exclusively for the purpose of preventing identity theft. The results of the data authenticity verification procedure will not be disclosed, but may be communicated to Supervisory and Oversight Authorities and Bodies;
- q) subjects that are members of the Interbank Corporate Banking Consortium (CBI) and/or subjects that provide the related services;
- r) in order to carry out international financial transactions and some specific domestic transactions requested by customers, it is necessary to use the international messaging service managed by SWIFT (Society for Worldwide Interbank Financial Telecommunication), which temporarily stores a copy of all the data necessary for the execution of transactions (e.g. name of the originator, beneficiary, bank details, amount, etc.). These personal data are stored on a company server located in the United States. This site can be accessed by the competent US authorities (in particular, the Treasury Department) for counter-terrorism

purposes (see <http://www.swift.com> for the data protection information notice);

- s) other financial intermediaries belonging to the Mediobanca Group in the event that the transactions you carry out are deemed "suspicious" pursuant to anti-money laundering legislation.

The complete and up-to-date list of Mediobanca Group Companies is available at the following link: <https://www.mediobanca.com/it/gruppomediobanca/struttura-del-gruppo.html>. The complete and up-to-date list of Company's data processors is available at [www.mbfacta.it](http://www.mbfacta.it) in the "Privacy" section.

Your personal data will only be transferred outside the European Union if a European Commission adequacy decision or other appropriate safeguards established by Privacy Legislation are in place (including binding corporate rules and standard protection clauses).

The personal data processed by the Company are not subject to dissemination.

#### **f) Data retention**

In compliance with principles of proportionality and need, personal data will be kept in a manner that enables the data subjects to be identified for no longer than the period necessary to achieve the purposes for which they are processed, consistent with the principles of sound and prudent management, or rather considering:

- ◆ the need to continue to store the personal data collected to offer the services agreed upon with the user or to protect the legitimate interests of the Controller, as described in the above purposes, in compliance with the assessments performed by the Company;
- ◆ the existence of specific credit, legal and reputational risks, as well as regulatory obligations (codes, money laundering legislation, investment services legislation, tax monitoring legislation, regulatory technical standards of the European Banking Authority, etc.) or contractual obligations making the processing and storage of data necessary for specific periods of time.

In any case, for all of the processing purposes specified, the storage periods established by law will be respected, except in the event of interruptions (e.g. lawsuit, pending complaint) and unless the law in force *pro tempore* establishes different terms.

#### **g) Rights of the data subject**

Data subjects shall have the right to obtain confirmation from the controller at any time as to whether or not personal data concerning them are being processed, and to know the relative content and source, verify that they are correct or request that they be supplemented or updated or amended (articles 15 and 16 of the GDPR).

Moreover, data subjects shall have the right to request erasure, the restriction of processing, revocation of consent (when received), data portability and submit a complaint to the supervisory authority and object, in any case, on legitimate grounds, to their processing (articles 17 et seq. of the GDPR).

Data subjects in France also have the right to give instructions to the Data Controller regarding the use of their data after their death.

These rights can be exercised by sending a written communication to: [privacy@mbfacta.it](mailto:privacy@mbfacta.it) .

The Controller, directly or through designated facilities, shall process your request and provide you, without undue delay, with full information on the action taken with regard to your request.

**h) Data Controller and Data Protection Officer**

The Data Controller is MBFACTA S.p.A., with registered office in Milan, at Via Siusi 7.

MBFACTA S.p.A. has appointed a Data Protection Officer.

The Data Protection Officer can be contacted at:

- ◆ [DPO.mediobanca@mediobanca.com](mailto:DPO.mediobanca@mediobanca.com)
- ◆ [dpomediobanca@pec.mediobanca.com](mailto:dpomediobanca@pec.mediobanca.com)

**MBFACTA S.p.A.**

*Last updated September 2024*