

## Privacy policy statement (Section 13 of the Italian D.LGS n° 196 as of 2003)

### Interested Parties: Contractors

**COMITALIA SPA**, having its head office in Milano, Italy, Corso G, Garibaldi n. 49, Tax code number n. 03953900010, as controller of the processing of your personal data, pursuant to and by effect of the Italian Legislative Decree n° 196 as of 30th June 2003 (Code regarding the protection of personal data), hereafter referred to as "Privacy Code", informs that the above mentioned legislation entails the protection of individuals and other subjects with regard to the processing of personal data and that the processing will comply with principles of fairness, lawfulness, transparency and protection of your privacy and of your rights.

Your personal data will be processed in compliance with the legislative provisions of the above mentioned legislation and with the confidentiality obligations therein included.

**Processing purposes and data supply:** your data will be processed in order to comply with the following points, concerning legal or contract obligations:

- Compliance with legal obligations related to the anti-money laundering legislation (Italian Law n° 197 as of 5th July 1991 and subsequent amendments; Italian Legislative Decree n° 56 as of 20th February 2004; Law n° 29 as of 25th January 2006; Ministerial Decrees n° 141, 142 and 143 as of 3rd February 2006; UIC (Italian Foreign Exchange Office) measure as of 24th February 2006);
- Compulsory obligations, established by law, in the fiscal and in the accounting fields.
- Documents concerning assets and properties.
- Performance of the instructions received from the interested party (Contractor or Special attorney of the contract).
- Bank account management.
- Legal proceedings management.
- Securities and real estate management.
- Payment instruments management.
- Record of client invoicing.
- Anti-money laundering Centralised Archive.

The processing of the data needed to perform these obligations is required to manage the privacy, and supplying these data is compulsory to fulfill the purposes described above. Furthermore, the data controller informs that if one of the compulsory information is not communicated or wrongly communicated, the data controller may not be able to guarantee the processing will be carried out adequately.

For the purposes of the data processing, the data controller may acquire sensitive data as defined in the Privacy Code, and in particular: **Membership in associations, racial or ethnic origins, health conditions (in the case of life insurance policies)**. The sensitive data processed strictly concern the obligations, the tasks and the instructions received or the purposes described above. The data will be processed according to the contents of the General Authorizations of the Italian Authority for Data Protection ("*Garante*").

For the purposes of the data processing, the data controller may acquire criminal records details as defined in the Privacy Code, and in particular: **Information concerning judicial orders, the status of defendant or suspect pursuant to articles 60 and 61 of the Italian Code of Criminal Procedure.**

**Processing methods :** your data may be processed in the following ways:

- Processing of data collected by third parties.
- Entrustment to third parties for filing.
- Compulsory creation of an anti-money laundering risk profile.
- Data collection via computing or electronic means.
- Data collection from public registers, lists, records or documents.
- Data collection from forms and surveys.
- Processing through computers.
- Manual processing in paper files.

## Appendix "4" to the main contract

Processing is performed according to the methods under sections 11, 31 et seq. of the Privacy Code and by adopting the minimum security measures.

Your data will be kept in our office and will be communicated solely to the subjects authorised to carry out the services required to correctly manage the privacy, ensuring the protection of the rights of the interested party. The data will be processed exclusively by staff expressly authorised by the data controller, and belonging to the following categories of persons in charge of the processing: **Secretarial services, contractor and general accounting, external legal advisors.**

**Transmission :** Your data may be communicated to third parties, and in particular to:

- Lawyers for judicial and extra-judicial consultancy.
- Notaries.
- Italian financial intelligence unit (UIF), Anti-mafia Investigation Department (DIA), police.
- Revenue Office.
- Constitutional bodies or bodies of constitutional relevance.
- Banks and credit institutions.
- Service providers indicated as external data processors.

Law communication concerning the anti-money laundering legislation (Italian Law n° 197 as of 5th July 1991 and subsequent amendments; Italian Legislative Decree n° 56 as of 20th February 2004; Law n° 29 as of 25th January 2006; Ministerial Decrees n° 141, 142 and 143 as of 3rd February 2006; UIC (Italian Foreign Exchange Office) measure as of 24th February 2006).

If the information concerning operations performed by the interested parties are deemed "suspicious", pursuant to art. 41 of the Italian Legislative Decree n° 231 as of 2007 and subsequent amendments and additions, they will be transmitted in compliance with the law.

**Dissemination:** Your personal data will not be disseminated.

**Transfer to third countries:** Your personal data may be transferred to third countries only to perform obligations deriving from a stipulated contract, or to terminate or carry out a signed contract in favour of the interested party.

**Erasure of data:** Your data will be kept for ten years in compliance with legal obligations. However, the data will be blocked upon termination of the contract.

**Data controller:** The data controller, pursuant to the Law, is COMITALIA SPA (Corso Garibaldi n.49, 20121 Milano (MI), Italy, telephone: +39 02 72001625, fax +39 02 72001289 e-mail : [comitaliaspa@legalmail.it](mailto:comitaliaspa@legalmail.it) in the person of the Chairman Mr. Roberto Piatti

**Data processor:** You can contact the data processor in charge of your personal data at the company or writing an e-mail to: [r.piatti@studioscc.it](mailto:r.piatti@studioscc.it)

You have the right to ask the data controller to erase, communicate, update, amend, and integrate your personal data, and, more broadly, you are entitled to exercise all the rights provided for in section 7 of the Privacy Code below.

**Legislative Decree n° 196 as of 2003: Section 7 - Right to access personal data and other rights**

1. A data subject shall have the right to obtain confirmation as to whether or not personal data concerning him/her exist, regardless of their being already recorded, and communication of such data in intelligible form.
2. The data subject shall have the right to be informed:
  - a) of the source of the personal data;
  - b) of the purposes and methods of the processing;
  - c) of the logic applied to the processing, if the latter is carried out with the help of electronic means;
  - d) of the identification data concerning the data controller, data processors and the representative designated as per Section 5(2);
  - e) of the entities or categories of entity to whom or which the personal data may be communicated and who or which may get to know said data in their capacity as designated representative(s) in the State's territory, data processor(s) or person(s) in charge of the processing.
3. The data subject shall have the right to obtain:
  - a) updating, rectification or, where interested therein, integration of the data;
  - b) erasure, anonymization or blocking of data that have been processed unlawfully, including data whose retention is unnecessary for the purposes for which they have been collected or subsequently processed;
  - c) certification to the effect that the operations as per letters a) and b) have been notified, as also related to their contents, to the entities to whom or which the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected.
4. A data subject shall have the right to object, in whole or in part:
  - a) on legitimate grounds, to the processing of personal data concerning him/her, even though they are relevant to the purpose of the collection;
  - b) to the processing of personal data concerning him/her, where it is carried out for the purpose of sending advertising materials or direct selling or else for the performance of market or commercial communication surveys.



Appendix "4" to the main contract

*The undersigned **Contractor** or interested **PARTY** having acquired the information provided by the data controller pursuant to section 13 of the Legislative Decree 196 as of 2003, gives his/her consent to the processing of his/her personal data for the purposes listed in this statement, as they are necessary for allowing the data controller to correctly manage the privacy and to process the data.*

*Aware that the processing may concern some sensitive data or criminal records details as under section 4, paragraph 1, letters d) and e), as well as section 26 of the Legislative Decree n° 196 as of 2003, and in particular: Membership in associations, racial or ethnic origins, health conditions, creation of an anti-money laundering client risk profile, information concerning judicial orders, information concerning the status of defendant or suspect pursuant to articles 60 and 61 of the Italian Code of Criminal Procedure. Confirms his/her free consent to the processing of his/her sensitive personal data as described in this statement, in any case limited to respecting any other condition imposed by law.*

*Also approves the transfer of his personal and sensitive data to third countries where required and necessary (for example, in the case of foreign life insurance policies), aware that the transfer complies with contract obligations and instructions given.*

Legible signature.....

