

## INFORMATION NOTICE - DEBTORS

### INFORMATION RELATING TO THE PROCESSING OF PERSONAL DATA

*(pursuant to art. 13 of General Data Protection Regulation (EU) 2016/679)*

Pursuant to art. 13 of Regulation (EU) 2016/679 (General Regulation for the Protection of Data, hereinafter the "Regulation"), the Supplier is informed that his personal data are processed by BFF Bank S.p.A. in its capacity as Data Controller, in compliance with the provisions contained in the Regulation, according to principles of lawfulness and correctness and only for the following purposes: customer management, compliance with legal, accounting and tax obligations, business planning, litigation management, internal control services

#### **a) Processing purposes, methods and legal basis**

The collection and processing of Personal Data of the Data Subject are carried out in order to allow this Company to conduct the following activities:

- Customer' agreement management
- Debtors management (management, accounting and collection of receivables on power of attorney and/or assignment);
- Management of the disputes;
- Activities scheduling;
- Internal Audit activities.

For the aforementioned purposes, the legal basis of the processing consists in the execution of the contract of which the data subject is a member (Article 6, paragraph 1, letter b) of the Regulation) or the fulfillment of legal obligations (Article 6, paragraph 1, letter c) of the Regulation).

The processing of Personal Data for these purposes will take place with computer and manual methods, based on logical criteria compatible and functional to the purposes for which Personal Data were collected, in accordance with the rules of confidentiality and safety provided for by law and by internal company regulations.

#### **b) Personal Data Collection**

Personal Data referred to the Data Subject are, or have been, supplied to BFF Bank S.p.A. by companies that have contractual relations with the Data Subject - in the framework of the conferment to BFF Bank S.p.A. of the power of attorney for the management, recovery and collection of receivables -, or supplied by the Data Subject, or known through access to public registers, lists, deeds or documents whose availability is regulated by law.

#### **c) Mandatory or optional nature to provide Data**

Providing Personal Data to BFF Bank S.p.A. is compulsory only for those Personal Data for which a legal obligation (or established by laws, regulations, measures of Public Authorities, etc.) or of a

compulsory nature in this sense is envisaged. In all other cases, the Data Subject is free to provide or refuse to provide his/her Personal Data.

#### **d) Consequences in case of refusal to provide Data**

In the presence of a regulatory or contractual provision obligation, the refusal by the Data Subject to provide the Data may result in the breach by the Data Subject of the rules establishing such obligation (with possible consequences for the Data Subject) or the contractual default by the Data Subject (possibly followed by non-compliance related contractual or statutory remedies).

In any case, the Company will not be able to carry out the operations requiring the processing of the aforementioned Data and this with every consequence and damage on the side of the Data Subject. In cases in which the Data Subject is free to provide the Data, any refusal to provide them does not result in regulatory or contractual breaches. However, if the Data are necessary or strictly instrumental to the execution of the obligatory relationship, the refusal to supply them may lead to the impossibility of enabling the operations related to such Data (or in any case may lead to delays in the executions of these operations).

#### **e) Categories of the recipients of the Personal Data**

The Data, or some of it, may be disclosed to the following authorized persons or entities that may carry out processing operations on our behalf: consultants and freelancers, including in associate form; banks and credit institutions, outsourcing companies and will also be disclosed to our employees and managers, also may be disclosed to the requesting Supervisory and Judicial Police Authorities for the purposes of preventing and combating tax evasion and avoidance. The Data will not be disclosed in any way, nor transferred abroad.

The Data collected will, in addition, be disclosed to the Bank of Italy in order to enable it to carry out its institutional functions, such as:

- the supervision of the banking and financial system;
- the protection of financial stability;
- the implementation, within the Eurosystem, of the single monetary policy;
- economic and financial research and the production of statistics; and the prevention and countering of the use of the economic and financial system for the purpose of money laundering and terrorist financing.

In compliance with Article 6, paragraph 1, letter c) of the Regulations, the communication of data to the Bank of Italy is a legal obligation.

In order to pursue the purposes related to the obligations reported to the Bank of Italy, BFF Bank S.p.A. may also resort to the transfer of data between entities of the BFF Banking Group.

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

The Data will be stored in a complete manner for the entire period of the execution of the contract; subsequently, the Data will be stored for a period of ten years in order to comply with

legal obligations and, among these, the obligations referred to in article 2220 of the Civil Code. Any further storage of the Data or part of the Data may be arranged to enforce or defend their rights in any possible location and, in particular, in judicial venues. The Data Controller undertakes to adopt specific security measures to prevent the destruction or loss of data, unauthorised access or unlawful use, and in any case the necessary security measures, whether physical or IT, are adopted in line with the provisions of the Regulation. The Data Controller also undertakes to require third parties with whom the data is shared to adopt similar data processing and protection procedures in line with the provisions of the Regulation.

### **g) Rights of the Data Subject**

With regard to your personal data we inform you that you can exercise your rights set out in the articles from 15 to 22 of Regulation (EU) 2016/679:

1. Access to the following information:
  - purposes of the processing,
  - categories of personal data concerned,
  - recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations,
  - existence of the Data Subject right to ask the controller to rectify or erase personal data or restrict the processing of personal data concerning him or her or object to such processing,
2. Rectification, by this meaning:
  - rectification of inaccurate personal data concerning him or her without justified delay,
  - supplement of incomplete personal data, including by means of providing a supplementary statement;
3. erasure of personal data concerning him or her without undue delay, if:
  - the data are no longer necessary in relation to the purposes for which they were collected or otherwise processed,
  - the Data Subject withdraws consent and there is no other legal ground for the processing,
  - you object to the processing and there are no overriding legitimate grounds for the processing,
  - the personal data have been unlawfully processed,
  - the personal data have to be erased for compliance with a legal obligation,
  - the personal data have been collected in relation to the offer of information society services;
4. restriction of processing:

- if the accuracy of the personal data is contested, for a period enabling the controller to verify the accuracy of such personal data,
  - when the processing is unlawful and the Data Subject opposes the erasure of the personal data and requests the restriction of their use instead,
  - when the personal data are required by the Data Subject for the establishment, exercise or defense of legal claims, although the controller no longer needs them for the purposes of the processing,
  - if you object to processing by virtue of the right of opposition;
5. Receive notification in case of rectification or erasure of personal data or restriction of processing;
  6. Data portability, i.e. the right to receive the personal data concerning him or her, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller, where:
    - the processing is based on express consent of the Data Subject for one or more specific purposes or takes place due to a contract signed with the Data Subject and
    - the processing is carried out by automated means;
  7. Objection at any time, on grounds relating to his or her particular situation, to processing of personal data concerning him or her;
  8. Right not to be subjected to a decision based solely on automated processing, including profiling.
  9. Right to withdraw the consent - if given - at any time without prejudice to the lawfulness of the treatment based on the consent given prior to the withdrawal.

You have the right to lodge a complaint with a supervisory authority if you believe that the rights listed herein have not been recognized to you.

To exercise the aforementioned rights, please contact the Controller by sending a registered letter to BFF Bank S.p.A., via Domenichino, n. 5, 20149, Milano The Bank has appointed a data protection officer that you can contact at the following email address [DPO@bff.com](mailto:DPO@bff.com).

The Data Controller undertakes, without undue delay, if the conditions are met, to notify the persons concerned of data breaches in accordance with the provisions contained in the Regulation.

The Bank may make amendments and/or additions to this notice also as a consequence of any subsequent regulatory changes and/or additions.

#### **h) Data relating to the Controller and the Data Protection Officer**

The Controller: BFF Bank S.p.A., via Domenichino, n. 5, 20149, Milano



The Representative of the Controller: the CEO of the Bank with the delegation to represent the Bank in order to comply with the provisions set out in Regulation (EU) 2016/679.

The Bank has also appointed a Data Protection Officer. You can reach it at the following e-mail address: [DPO@bff.com](mailto:DPO@bff.com).

BFF Bank S.p.A. has appointed outsourcing data processors for the external companies ("So.Ve.C.") that collect and verify administrative information on receivables covered by the factoring relationship.

An updated list of these companies is available at the Bank's head office.