

## **INFORMATION NOTICE TO THE VENDORS AND PROVIDERS OF SERVICES IN COMPLIANCE WITH (EU) REGULATION 679/2016 IN RELATION TO PERSONAL DATA PROTECTION**

Pursuant to articles 13 and 14 of (EU) Regulation 679/2016 in relation to personal data protection (hereinafter referred to as “GDPR”), MPS Capital Services Banca per le Imprese S.p.A. (hereinafter, the Bank or the Data Controller), as the Data Controller, intends to provide a few information in relation to the use of your personal data.

### **1. Purpose and modalities of data processing**

The personal data you provided or otherwise secured shall be processed, within the Bank ordinary course of business, in accordance with the following purposes:

- purposes closely associated with and incidental to the management of each step of the purchase process and any obligation resulting from any supply agreements executed with you, including through the purchasing portal ([www.portaleacquisti.mps.it](http://www.portaleacquisti.mps.it)) of the Montepaschi Banking Group (e.g. entry, view and update of information and documents by the Vendor/Provider of Services). The provision of the data for such purposes is not mandatory. However, the non-provision – including the partial provision – of these data prevents the execution of the requests, specifically the establishment and/or continuation of the contractual agreements. These purposes do not require your preliminary consent to data processing, since the legal basis legitimizing data processing is the need of personal data available for the execution of an agreement where the data subject is a party of, or for the execution of his/her specific requirements;
- purposes associated with the obligations provided for by the laws, regulations, EU regulations as well as by provisions from the competent Authorities, if you have signed a supply agreement with the Bank and/or participated in a tender. These purposes do not require your preliminary consent to data processing, since the legal basis legitimizing data processing is the need of personal data available, for compliance with a law obligation the Data Controller is subject to.

Personal data processing is conducted through manual, IT and remote-distance tools, in a logic closely related to the purposes themselves, however so as to ensure the security and confidentiality of the data, both when the Bank uses traditional instruments and remote-distance or innovative distribution channels, including the IT platform for the management of the purchasing portal.

According to the current regulations on personal data protection (GDPR), the notion of “data subject” (art.4, par.1) incorporates any information concerning an identified or identifiable **natural person**. As a result, all rights and obligations resulting from such regulations (including the Data Controller’s obligation of providing an appropriate preliminary information notice upon collection of the data subject’s personal data) shall not apply to the legal persons, entities and associations. Therefore, this information notice only addresses the **natural persons**, subject to the obligation of confidentiality due to the nature of the data processed also for the parties belonging to the other mentioned categories.

### **2. Categories of parties the data can be disclosed to**

The personal data can be disclosed to the following parties:

- other companies of the Montepaschi Group for administrative-accounting purposes;
- the providers of services or freelance who carry out, on behalf of the Data Controller, specific administrative, processing or support activities (e.g. maintenance of IT routines, invoice printing and mailing, stock management, advisory services etc.). These providers of the Data Controller include, in particular, the ABC – Asset Banking Consortium set up by the Italian Bankers’ Association which provide services to its Member Banks, including a

Data Base consisting of the vendors indicated by the Member Banks; Bravosolution as the manager of the Bank's purchasing portal.

Finally, the data can be disclosed to the natural persons belonging to the following categories - who need to access and process the data in relation to the performance of their duties – as the persons in charge of data processing under the direct authority of the Data Controller or Data Processor:

- bank employees or employees seconded to the Bank;
- interns, contract workers or workers subject to a learning and working program;
- employees of the companies designated as Data Processors.

The third parties which are not designated as Data Processors can become aware of your personal data as independent Data Processors, if this is necessary for the execution of the processing associated with the processing conducted by the Bank, and in view of one of the prerequisites of lawfulness of the processing, exempting from the consent procedure (art.6 GDPR).

### 3. Rights of the data subject

In relation to the processing described under the foregoing point 1– Purposes and modalities of data processing - you are entitled to exercise the rights provided for by articles 15 and the following articles of the GDPR, in particular the right of:

- **access**, i.e. obtain confirmation about the existence of your personal data, know their origin as well as the logic and purposes underlying their processing, the recipients or the categories of recipients the data can be disclosed to as well as the determination of the storage period, if it is possible to establish it;
- **rectification** of inaccurate data;
- **erasure** (the so-called “right to be forgotten”), if the data are no longer necessary for the purpose of collection and the resulting processing, or in the case of revocation of the consent to data processing (if said consent is optional or there is no other legal basis for processing);
- **portability**, the right to receive the personal data of the data subject in a structured, commonly used and machine-readable format, with the possibility of communicating them to another Data Controller. This right shall not apply to non-automated processing, such as paper archives and registers. Moreover, portability only refers to the data processed with the consent of the data subject and only if the data were provided by the data subject;
- **objection**, the right to object to the processing for reasons related to a specific situation of the data subject, including the right to object to the processing of personal data for the purpose of sending advertising material or newsletters, direct sale or market survey or marketing communications;
- **complaint**, to be sent to the Data Protection Authority, Piazza di Montecitorio, 121 – 00186 Rome ([garante@gpdp.it](mailto:garante@gpdp.it); +39 06 69677.1; telefax +39 06 69677.3785).

In order to exercise the above-mentioned rights, you can contact the Privacy Protection Unit at MPS Capital Services Banca per le Imprese S.p.A. - MPS CS Compliance Sector, Via Leone Pancaldo n. 4 - 50127 Firenze (e-mail: [privacy@mpscs.it](mailto:privacy@mpscs.it)). The complete and updated list of the other Managers, both internal and external to the Bank, is also available at the ICT Compliance Unit of Banca Monte dei Paschi di Siena S.p.A.

### 4. Data transfer abroad

For certain activities, the Bank uses reliable parties - sometimes operating outside the European Union – which carry out technical, organizational or management tasks on behalf of the Bank. In this case, the data are transferred pursuant to the provisions of the current regulations (Chapter V – Transfer of personal data to third countries or international organizations of the GDPR), such as the application of standard contractual clauses as defined by the European Commission for the

transfers to third companies or the control of the existence of an adequacy assessment of the personal data protection system of the importing country.

#### **5. Data storage time**

Your data shall be stored for the time strictly necessary to achieve the goals they were collected for, in compliance with the rules or any other terms as provided for by the law for the relevant storage, or for a longer period, if it is necessary to retain such data due to the protection of the Data Controller's rights.

#### **6. Data Controller and Data Protection Officer**

MPS Capital Services Banca per le Imprese S.p.A., with registered office in Via Leone Pancaldo n. 4 - 50127 Firenze , is the Data Controller.

The Data Protection Officer (DPO) is the pro tempore Manager of the ICT Compliance Unit of Banca Monte dei Paschi di Siena S.p.A. and can be contacted at the following e-mail certified addresses: [responsabileprotezionedeidati@postacert.gruppo.mps.it](mailto:responsabileprotezionedeidati@postacert.gruppo.mps.it) and of ordinary e-mail: [responsabileprotezionedeidati@mps.it](mailto:responsabileprotezionedeidati@mps.it), which the data subject can contact for all issues concerning personal data processing and to exercise the rights provided for by the GDPR.

**MPS Capital Services Banca per le Imprese S.p.A.**

In acknowledgment of the above:

Date \_\_\_\_\_ Signature \_\_\_\_\_