

**INFORMATION REPORT AND CONSENT TO PERSONAL DATA PROCESSING PURSUANT TO THE EU
REGULATION 679/2016 ON PERSONAL DATA PROTECTION**

Dear Customer,

pursuant to articles 13 and 14 of the EU Regulation no. 679/2016 on personal data protection (hereunder referred to as the **GDPR**), MPS Capital Services Banca per le Imprese S.p.A.(hereunder referred to as the Bank), Parent Bank of the Montepaschi Group, as the Data Controller of your personal data, hereby informs you of their use and of your rights so that you can give your consent, if required, freely and consciously.

1. Personal data sources

The Bank is provided with your personal data (including, without limitation, your name, family name, residence address, taxpayer identification number, telephone number, mobile phone number, email address, IP address, geolocation) directly by you – also through remote communication means, if , for instance, they are provided via web, Internet Banking or phone call – or by third parties, i.e. upon the execution of any credit or debit transactions instructed by other parties or whenever the Bank secures data from outside companies, in compliance with legal provisions, to comply with current regulations (e.g.: anti-money laundering provisions to identify the beneficial owner, or FATCA (Foreign Account Tax Compliance Act) and CRS (Common Reporting Standard) or for marketing (e.g.: commercial information, market surveys, direct offers of products or services). As regards the latter, if data are to be disclosed to the data subject an information report to the latter will be provided upon their registration, however no later than their first communication (if any); if data are disclosed to third parties, the information report will be provided no later than the first disclosure to third parties. In other cases, the information report will be provided no later than a month from the data collection, unless the fulfilment of this obligation implies a disproportionate effort for the Data Controller in informing the data subjects (article 14, paragraph 5, letter b).

In any case, all these data shall be processed in compliance with the GDPR and the Bank's usual confidentiality obligations.

The data subject to collection and processing also incorporate your ID number, sometimes pursuant to specific regulations, sometimes due to the exercise of the obligations resulting from an agreement or in compliance with specific pre-contractual requirements. A copy of your ID might be required if a provision of the law expressly requires that it should be obtained and maintained, or if the Bank has to prove that the data subject was identified more accurately, in view of the specific situation or the transactions to be carried out.

2. Special categories of personal data

With reference to specific transactions or services you requested (such as life insurance policies or permanent payment orders, through money transfers or deductions from the salary, of membership fees to trade unions and political parties), the Bank might obtain “**special**” data which might be indicative of your membership, if any, of said associations, or give information about your health, ethnic origin or race. You are requested to give your consent to the processing of these data in the form hereunder.

Biometric data, or data obtained through a specific technical processing related to physical, physiological or behavioural characteristics of a natural person enabling or confirming the unique identification, such as the facial image or the fingerprints, fall into the category of special data (e.g.: these data are collected by the Bank on underwriting contracts with graphometric signature).

3. Data processing purposes

Your personal data are processed within the scope of the Bank's ordinary business and for the following purposes:

- a) Purposes associated with law obligations or requirements resulting from EU regulations and rules, as well as provisions issued by the authorities thereto entitled and by the regulatory and supervisory authorities (registration with Centrale Rischi¹ of the Bank of Italy, data collection and registration in compliance with the current regulations in relation to loan sharking, money laundering, FATCA and CRS, accounting, transparency, fraud prevention on payment cards, etc.). For this purpose your previous consent to data processing is not required, since the legal basis legitimizing the processing is a legal obligation of the Data Controller and, therefore, the provision of data is compulsory;
- b) Purposes closely related to and useful for the management of your accounts as well as requirements related to your specific requests (e.g.: acquisition of information preliminary to the execution of a contract; compliance with the requirements and protection of the rights resulting from the contracts signed by you also through remote communication means, execution of transactions you requested also occasionally). For this purpose your previous consent to data processing is not required, since the legal basis legitimizing the processing is the execution of a contract you signed or fulfil your specific requests. In this case, the provision of data is not compulsory, but a refusal to provide them, if any, would result in the impossibility for the Bank to carry out the transactions or offer the services you requested;
- c) Collateral purposes of the Bank for which your previous consent is required, since your free and informed consent is the legal basis legitimizing their processing. For this purpose, the provision of data is not compulsory and any refusal does not jeopardise, in any way, starting, implementation and management of the contractual relations with the Bank. If specific consents for this purpose are freely given, which can however be modified in any time, the Bank will be able to propose you following activities:
 - Carrying out market researches and statistical studies, surveying customer satisfaction as to quality of the services offered and to the activity carried out by the Bank as well as on products and services of third parties; the survey is directly implemented either through specialized companies via personal or phone interviews, or sending questionnaires, as well as surveys aimed at analysing the reason of an early termination, if any, after the closing of said accounts;
 - Sending of newsletters, invitations to events organized by the Bank, marketing events, such as contests, promoting or selling products or services of the Bank and of third companies both by mail and/or call agents and by automated systems such as automated calls, interactive voice response systems, e-mail, telefax, SMS, MMS, social media and other message and communication services, reserved web area, your app;
 - Storage of data produced by technological applications if you use tools detecting your position in the territory (geolocation);
 - Analysis of data related to the accounts and to the behaviours of the customers to identify and study their interest or preference profiles concerning services and products of the Bank, which are carried out through statistical electronic elaborations (by age, sex, educational qualification, geographical areas, frequency and amounts of the transactions with assignment of assessments or scores, if any) also by personal data aggregation. For this purpose your personal data shall be

¹ N.d.Tr.: Central Information Office on credit risks

stored in the archives of the Bank no longer than twelve months, after that period they will be cancelled or made anonymous.

With reference to collateral and marketing purposes, if you give your consent, your data shall be processed in this way also for six months after the date of the your closing your accounts with the Bank. You are reminded that you can revoke your consent for all or some of the above-mentioned contact modalities at any time; you are entitled to give or refuse your consent to the Bank for this kind of communication and for the relevant processing, by ticking the boxes in the following section dealing with the declarations of will.

4. Data Processing Modalities

In relation to the above-mentioned purposes, personal data are processed through manual, IT and telematics means according to rationales closely related to the above-mentioned purposes and anyhow in such a way that their safety and privacy are ensured. In any case, data protection is ensured by using both traditional means and the Bank's innovative channels, such as home banking, phone banking and other above-mentioned multimedia.

5. Categories of recipients to which data can be disclosed or to which can become known

- A) The Bank can disclose your data to certain parties, also foreign ones (to this purpose, see the following paragraph 6 regarding the data transfer abroad) in case of a specific regulatory obligation to said disclosure;
- B) In other cases, the disclosure is necessary since the Bank can be assisted by companies and third parties carrying out processing related to the ones performed by the bank, in implementing banking transactions and services requested by the customers;
- C) The Bank as well as the quality of its services have to be checked and the offer of its products has to be enlarged; to this purpose, it can disclose the data to companies offering this kind of services so that they verify whether the Bank has met their needs and their expectations or whether there is a potential demand for other products or services.

The parties to which your data can be disclosed or to which can become known belong to the following categories and use the data received as autonomous Data Controllers, or Processors, pursuant to art. 28 of the GDPR.

The full and updated list also including their names or relevant industry sector can be requested for free to the Staff DPO e Conformità Privacy of Banca Monte dei Paschi di Siena S.p.A. at the addresses as per following point 9 – Data Controller and Data Protection Officer:

- Parties which have to be informed according to a legally binding obligation: e.g.: for purposes related to tax management, assessment and collection, such as the activities of the Inland Revenue; for purposes related the administration of justice, e.g. Judicial Authority; for purposes related to supervisory and control activities and of other activities which are specifically provided for by the regulations: e.g.: Bank of Italy, Consob² and ISVAP³, IVASS⁴; for purposes linked to the registration and/or cancellation of real estate mortgages, e.g. the Territory Agency; CAI – Interbank Alert

² N.d.Tr.: National Commission for the Companies and the Stock Exchange

³ N.d.Tr.: Institute for Insurance Supervision

⁴ N.d.Tr.: Institute for Insurance Supervision

Centre, a computerized archive of the Bank of Italy for purposes related to the regular working of the payment systems; for fraud prevention purposes such as MEF - UCAMP⁵; the Central Information Office on credit risks of the Bank of Italy, a computerized archive of information on financial risks enabling the banks to be aware of debts, if any, of customers to the banking system, collecting information from the same banks on own customers risks. To this purposes, banks are obliged to report to the Central Information Office not only non-performing loans regardless of their amounts, but also all credit lines starting from EUR 30,000.00 for all direct risks (cash credits and endorsement credits) and indirect risks (personal securities for third parties); public prevention system of the Ministry of Economy and Finance, which is managed by CONSAP⁶ and processing data included in the documents provided by the applicants for transactions as per article 30-ter, paragraphs 7 and 7 bis of the Legislative Decree no. 141 of 13 August 2010 to verify their authenticity;

- Financial intermediaries belonging to the Montepaschi Banking Group, pursuant to the provisions of article 46, paragraph 4 of the Legislative Decree no. 231 dated 21 November 2007 providing for the disclosure of the reporting to the other financial intermediaries belonging to the same group, even if they are established in foreign countries (in compliance with the assumptions of Chapter V – Transfer of personal data to third countries or international organizations of the GDPR) with resulting processing by them);
- Companies belonging to the Montepaschi Banking Group or its subsidiaries or associated companies pursuant to article 2359 of the Italian Civil Code (also if abroad) or companies subject to joint control, if said disclosure is allowed by the Data Protection Authority and, in all cases, there is a legitimate interest of the Controller;
- Agencies or branches of the Parent Company Banca Monte dei Paschi di Siena S.p.A.;
- Parties carrying out banking, financial and insurance services including joint-surety associations on bank loans;
- Parties carrying out data collection and processing services from documents or backups (payments, bills, cheques etc.);
- Companies carrying out disclosure processing, printing, forwarding, enveloping, transporting and sorting services for the customers;
- Companies carrying out electronic and paper filing of documents;
- Companies carrying out data processing and forwarding or, in general, IT services, management of the IT system and of the centralized administrative services: in particular, the Bank uses the Montepaschi Group Operations Consortium, based in Via Ricasoli, 60, Siena, belonging to the Montepaschi Banking Group, to which as external Data Processor, the IT system management has been assigned pursuant to article 28 of the GDPR;
- Companies specialized in detection of financial risks (e.g.: CRIF s.p.A., CRIF Servizi S.p.A., Experian Italia S.p.A.);
- Companies specialized in detection and processing of financial statements data (Cerved Group S.p.A., CE, BI);
- Companies or professionals specialized in credit and goods recovery;
- Companies carrying out assistance, advertising and sale services for the customers (e.g.: call centres);

⁵ N.d.Tr.: Central anti-fraud office of the means of payment of the Ministry of Economy

⁶ N.d.Tr.: Public Insurance Services Agency

- Other companies of services related to and instrumental in managing the relationships with the customers (e.g.: consulting offices, law firms, public officers, rating or auditing agencies, contracted companies or entities);
- Companies on behalf of which the Bank carries out intermediation activities for the sale of products and/or services, service quality satisfaction surveys, market surveys, marketing.

Natural persons belonging to the following categories which need to access and process the data because of the assigned tasks can know the data as persons authorized to process the data under the direct authority of the Data Controller or of the Processor:

- Employees of the Banks or seconded staff;
- Interns, project free-lance or training students;
- Staff of the Processor companies.

6. Data transfer abroad

For certain activities the Banks uses trusted parties, sometimes working outside the European Union, carrying out technical, organizational or management tasks on behalf of the Bank. In this case, data are transferred on the basis of 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 contract clauses as defined by the European Commission for transfers towards third companies or the check of the adequacy assessment of the personal data protection systems of the importing country.

7. Data storage time

Your data are stored for the time strictly necessary to achieve the goals for which they were collected, in compliance with the prescription terms or with other legally provided terms for the relevant storage, or longer if it is necessary to store them on the basis of protection requirements of the Controller's rights.

With reference to marketing purposes, your data shall be processed in this way also for six months after the date of your closing your accounts with the Bank. If you have given your consent for profiling purposes your personal data shall be stored in the archives of the Bank no longer than twelve months, after that period they will be cancelled or made anonymous.

8. Rights of the data subject

In relation to the processing described under point 3 above – Purposes of data processing - you are entitled to exercise the rights provided for by articles 15 and the following ones of the GDPR, in particular the right of:

- **Access**, i.e. of having your personal data existence confirmed, of knowing their origins well as rationale and purposes of the processing, the recipients or the recipient categories to which the data can be disclosed as well as the storage period, if it is possible to fix it and, finally, the existence of an automated decision-making process, including profiling, with the information on the rationale used and the consequences of said processing;
- **Rectification** of inaccurate data;
- **Erasure** (the so-called “right to be forgotten”) if data are no longer necessary for collection purposes and the resulting processing or in case of revocation of consent to data processing (if said consent is optional or there is no other legal reason for processing);
- **Limitation**, the right to obtain, from the Bank, the limitation on personal data access for all parties having a service contract or an employment contract with the Bank. In some cases the Bank

reserves the right to authorize the access to a restricted number of people to ensure safety, integrity and correctness of the above-mentioned data;

- **Portability**, the right to receive the personal data of the data subject in a structured, commonly used and machine-readable format with the possibility to forward them to another Controller. This right does not apply to not automated processing, such as archives and paper registers; moreover, portability only refers to data processed with the consent of the data subject and only if the data are provided by the data subject;
- **Objection**, the right to object to the processing on grounds related to your particular situation, including the right to revoke personal data processing for sending of advertising material or newsletters, of direct sale, for market survey, for customer satisfaction survey and profiling-related processing. The right to object also refers to promotional communication both via traditional and automated systems, subject to the possibility of giving your consent to traditional modalities only;
- **Complaint**, to be sent to the Data Protection Authority, (www.garanteprivacy.it; www.gpdp.it), Piazza Venezia n. 11 - 00187 Rome (garante@gpdp.it; telefono + 39 06 69677.1; fax + 39 06 69677.3785).

Moreover, pursuant to article 7, paragraph 3 of the GDPR the right to revoke the consent at any time is recognized; the revocation of consent does not jeopardise the lawfulness of the processing based on the consent given before the revocation.

To exercise the above-mentioned rights you can directly contact the Staff DPO e Conformità Privacy of Banca MPS S.p.A., Via Aldo Moro n. 11/13 – 53100 Siena (fax 0577 296520; e-mail privacy@mpscs.it).

9. Data Controller and Data Protection Officer

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

The Data Protection Officer (DPO) is the pro tempore manager Staff DPO e Conformità Privacy and can be contacted at the following certified e-mail addresses: responsabileprotezionedeidati@postacert.gruppo.mps.it and of ordinary e-mail: 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.

10. Personal Data Protection Policy with reference to the fund transfers performed by SWIFT

An international messaging service shall be used in order to execute any financial transactions (e.g. cross-border transfers) and specific domestic transactions requested by the customers. The service is managed by the *Society for Worldwide Interbank Financial Telecommunication* (SWIFT) with registered office in Belgium. The Bank notifies SWIFT (as the owner of the SWIFTNetFin system) of the data required to execute the transactions, such as – for instance – the names of the transferor, of the beneficiary and their respective banks, bank details, the amount concerned. The banks could not carry out the above transactions without using this interbank network and notifying such network of the above data. However, it should be pointed out that:

- For operational security purposes, all the customers' data used to execute the financial transactions are currently duplicated, sent and their copies are temporarily stored by SWIFT in a server of the company located in the United States of America;

- The data stored in such server can be used in the USA in compliance with the local regulations. The competent US authorities (in particular, the US Department of Treasury) have had access to the data, and will have additional access on the basis of measures which are considered as adoptable according to the US counter-terrorism regulations.

The Data Subjects shall retain their rights as provided for by the GDPR (for information on privacy: <http://www.swift.com>).

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

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

CONSENT TO PERSONAL DATA PROCESSING

To the processing of special categories of personal data, as per point 2 of the information report, the Bank has already collected or will collect, to carry out transactions within the framework of the compliance with the tasks related to the services I/we requested

I/We give consent

Being aware that, failing my/our consent the Bank will not be able to perform the transactions I/we requested

Date...

Signature...

To my/our data being processed by the Bank for commercial purposes, market researches, survey of the service quality customer satisfaction, sending of newsletters, invitations to events or contests organized by the Bank, direct offers of products or services of the Bank through automated and/or traditional modalities,

I/We give consent/I/we do not give consent

To my/our data being processed by the Bank for commercial purposes, market researches, survey of the service quality customer satisfaction, sending of newsletters, invitations to events or contests organized by the Bank, direct offers of products or services of the Bank through automated and/or traditional modalities,

I/We give consent/I/we do not give consent

to my/our data being disclosed by the Bank to third parties for commercial purposes, market researches, sending of newsletter, invitations to events or contests, direct offers of products or services

- **I/We give consent/I/ we do not give consent**

to my/our data being processed by the Bank for commercial purposes, market researches, direct offers of products or services of the Bank which are specifically identified on the basis of the personal profile of the data subject.

- **I/We give consent/I/ we do not give consent**

Date_

Signature_____

Customer identification number

Customer's name or corporate name