

Information statement in accordance to Art. 12 E Ss. EU Reg. 2016/679, relating to the personal data processing about Debtors, Guarantors, Third Party Payers, including the possible use of the reserved area of the *Payment Portal*

Update: 01/05/2022

EU Regulation 2016/679 aims to ensure that the processing of "personal data" is carried out in compliance with the rights, fundamental freedoms, as well as the dignity of natural persons, with particular reference to confidentiality and personal identity.

AXACTOR ITALY S.P.A. (the "Company" or "Axactor") as Data Controller with reference to the recovery activity carried out on owned receivables, and as Data Processor in the context of debt collection activities on behalf of third parties, is required to provide debtors that the Company is managing by a debt collection mandate on behalf of third parties, or to the debtors that the Company is managing by the purchase of credit portfolios or to any co-obligors or guarantors, the Related privacy statement:

- i) the use of personal data relating to the subjects to whom AXACTOR ITALY S.p.A. has requested the payment of a credit by means of a telephone call, a written communication and / or a home visit,
- ii) the processing of personal data within the reserved area of the *Payment Portal*,
- iii) the evaluation processing of personal data for the recovery activity carried out by the Company on property receivables.

i) Processing of Personal Data for Debtors, Guarantors, Co-obligors, Third Party Payers

AXACTOR ITALY S.p.A., operating the management and debt collection activities on its own behalf or on behalf of private companies and public administrations, collects and processes your personal data as necessary in the context of its activities and to achieve a high standard of customization of products and services.

The personal data held by the Company are collected directly from the interested party in the performance of recovery activities or may come from third parties as part of the recovery activity that the Company carries out on its own behalf and on behalf of third parties (eg. they are obtained by the seller company in the context of credit portfolio sale, or are provided by the 3pc company – which remains the Data Controller – to allow the Company to carry out the recovery activity on behalf of third parties) or are actually acquired through databases that draw on public databases / public registers or in any case legitimate (for example Revenue Agency / mortgage certificate, prejudicial / Chamber of Commerce certificate, Central risks of the Bank of Italy).

The legal basis of the debtor data processing which the Company is managing by the purchase of credit portfolios, by the Company and/or the persons to whom it communicates its obligations, is identified in the existence of a legal obligation or in the circumstance that the processing is strictly functional to the execution of the contractual relationship of which the debtors are part (therefore it is not necessary to acquire any further consent from Axactor to carry out the aforementioned processing). The Company processes the data for purposes connected and to the management and administration of the portfolio of receivables transferred; to the recovery of the credit (e.g. conferral to lawyers of the professional task of credit recovery, etc.); to the obligations provided by laws, regulations and Community legislation as well as by provisions issued by the authorities and by supervisory.

The legal basis of the processing aimed at the management and recovery of the receivables entrusted to the Company consists, as regards the data originally provided by the interested party to the creditor client companies, in the consent given by them at the time of signing the loan contract (Article 6, paragraph 1, letter a GDPR) as well as, for each subsequent processing, in the preparatory activity for the correct execution of the obligations contractual contracts of which the same interested party is a party (Art. 6, par. 1, letter .b GDPR). The processing is aimed at an effective management of the credit rights claimed, against the data subject, by the 3pc creditor companies.

As for the data relating to third party payers, these are probably released spontaneously and are only personal data for which consent is not required, being data whose processing is necessary for the execution of the contract or for the pursuit of the legitimate interest (receipt of payment) of the data controller.

In relation to the purposes described above, the Company processes personal data such as, by way of example and not exhaustively, name, surname, tax code and / or VAT number, address, telephone number, e-mail address, identification document, information regarding the total debt position, the amount of the debt, including historicity and payment terms. Furthermore, the Data Controller, limited to what is necessary for the pursuit of the purposes, may also become aware of and process data relating to criminal convictions and crimes, as well as data that the Regulation defines as particular (e.g. data suitable for revealing racial and ethnic origin, religious or philosophical beliefs, trade union membership, data relating to the health or sexual life or sexual orientation of the person, etc.), if these are transmitted directly by the interested party.

With reference to these data, the writer Company guarantees that:

- the processing is based on principles of lawfulness and correctness and is carried out in full protection of the rights of the interested party and his confidentiality in accordance with the results of the "*best practice*" for the recovery of credits and the provisions of art. 32 of the EU Regulation;
- in carrying out the processing operations, however, all technical, IT, organizational, logistical and procedural security measures will always be adopted, so that a level of data protection adequate to the risk assessment is guaranteed;
- the data are processed by manual means and / or with IT tools and, in any case, the Company guarantees the observance of every precautionary measure of their security and confidentiality;
- without prejudice to the right for the Company to acquire information through third parties, in compliance with the provisions of reg. EU 2016/679 and the Provision of the Data Protection Supervisory of debt collection (30 November 2005), as well as the "Code of conduct for credit management and protection processes" signed by UNIREC (the "UNIREC Code") drawn up pursuant to the provisions of art. 27 bis of the Consumer Code, the provision of data by the data subject is optional. Any refusal may, however, entail the possibility that the Company or the 3pc creditor company promotes further initiatives.

The data will be kept in a form that allows the identification of the interested party for a period of time not exceeding that necessary to achieve the purposes for which they were collected and processed, in compliance with the principle of proportionality and necessity in accordance of the legislation on the protection of personal data. In determining the retention period, the laws applicable to the activities and sectors in which the Data Controller operates (e.g. anti-money laundering legislation and the legislation governing the keeping of accounting records) are also taken into account, as well as the general and special provisions of the Data Protection Supervisory. After the deadlines thus established, the data will be deleted or transformed into anonymous form, unless their further conservation is necessary to fulfill legal obligations or to fulfill orders given by Public Authorities and / or Supervisory and to be able to report, where necessary, about the activity carried out. In any case, once the 3pc assignment has been completed, the data relating to the data subject are removed from the availability of the persons in charge, who are not allowed any further consultation. Anonymized and aggregated data may be used for purposes that include testing our IT systems.

ii) Processing of Personal Data in the reserved area of the Payment Portal

The reserved area is accessible by the subscriber of the reimbursement plan to check the letter, to make payments, to communicate easily and directly with the Company. Each individual agreement, which can also be cumulative for several debt situations, corresponds to a single nominative access.

AXACTOR ITALY S.p.A., already having all the debtor and payer data, has the legitimate interest of making this system available, guaranteeing the right not to use it (right of opposition) without any penalty in terms of management of the reimbursement plan and protecting the data through appropriate technical measures.

The user concerned (i.e. the payer, who may also be a person different from the debtor(s) receives this information as an attachment to the agreement relating to the reimbursement plan, together with the communication of the identification code to be used as a login to the system. Subsequently, unless you have expressed your intention not to use the system, you will receive at the e-mail address declared for communications with AXACTOR ITALY S.p.A., indication of the keyword valid only the first access and again the link to this information. The first access keyword is valid for 60 days after which access to the reserved area is inhibited (as if the data subject had opposed it) and it is necessary to explicitly request the issuance of a new one. In case of first access and in any case at least every 60 days, the user must replace the keyword respecting the expected complexity criteria.

Within the reserved area you could consult the data relating to the cases, the reimbursement plans, the last confirmed payment. The personal data concern the codes of practice, the name of the creditor and the debtor, the amount of the debt as well as the plan (installments and maturities). Through the reserved area, new contact data (e-mail, telephone, address) may be communicated to AXACTOR ITALY S.p.A. which will subsequently be verified and validated by an operator, for the purpose of rectifying the contact data used.

In addition, through the reserved area, contact requests can be sent to operators (e.g. for reimbursement plans, payment problems and updating of personal data).

Further information:

- access to the reserved area will be allowed up to 3 months after the conclusion of the reimbursement plan, after which the data will be removed;
- the data are processed with IT tools and, in any case, the Company guarantees the observance of any precautionary measures of their security and confidentiality.

iii) Evaluation processing of personal data scoring for the recovery activity carried out on property receivables

Your data are also processed through the use of credit scoring techniques and systems that use different types of factors (by way of example and not exhaustive number and characteristics of existing credit relationships, trend and history of outstanding or extinguished payments, age, gender, geographical area, socio-professional data, etc.) that allow you to obtain, through the application of statistical and machine learning methods and models, results expressed in synthetic form, through numerical indicators or scores, aimed at providing a representation in predictive or probabilistic terms of the punctuality in the payments of the interested party.

This profiling is necessary for contractual purposes in order to organize the debt collection activity and make it efficient and effective. Therefore, it is not necessary to acquire the consent of the data subject. This is an automated evaluation process based on computer algorithms (periodically updated) that use information acquired during the relationship (payment trends, residual debt exposure, relationship status) relating to the last 13 months to define the scorecard, from which, however, no decision-making effect can derive that affects the legal sphere of the interested party. These processing will be stored at AXACTOR ITALY S.p.A. and will

not be disclosed to third parties except to the companies of the Axactor Group on the basis of the existing agreements.

Data transfer abroad. Since the Company is part of the Axactor Group, the data may also be communicated abroad for the aforementioned purposes but only to subjects operating in countries belonging to the European Economic Area or that in any case guarantee an adequate level of protection of personal data.

Data recipients. For the pursuit of the purposes described, the Company needs to communicate personal data to third parties, belonging to the following categories:

- subjects that perform banking, financial and insurance services;
- Authorities and Supervisory and, in general, subjects, public or private, with functions of public importance (eg.: UIF and Bank of Italy);
- other companies of the group to which the company is part, or in any case parent companies or associates, pursuant to art. 2359 c.c. (also located abroad but still in the European Economic Area);
- third-party providers for the storage and storage of data, who may have access to the data.
- subjects that carry out data acquisition, processing and processing services, necessary for the execution of the provisions received from customers;
- subjects that provide services for the management of the information system of the Company and telecommunications networks;
- subjects who carry out activities of transmission, enveloping, transport and sorting of communications with the interested party;
- subjects that carry out documentation archiving and data-entry activities;
- management companies of national and international systems for the control of fraud against banks and financial intermediaries;
- professional firms or companies in the context of assistance and consultancy relationships;
- debt collection companies (pursuant to art. 115 TULPS) and/or companies transferring the receivables purchased;
- subjects who carry out control, revision and certification of the activities carried out by the Company;
- staff of the Company appointed Authorized to process.

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

Rights of the interested party. Under the conditions provided for by EU Regulation 2016/679, the interested party may exercise the following rights:

- art. 15 Right of access of the interested party;
- art. 16 Right to rectification;
- art. 17 Right to erasure;
- art. 18 Right to restriction of processing;
- art. 20 Right to data portability;
- art. 21 and art. 22: Right to object and automated decision-making process relating to natural persons.

In order to verify the existence of the conditions and methods for the exercise of the aforementioned rights, please refer to the full text of the aforementioned forecasts, available on the website: www.garanteprivacy.it.

The Company informs you that, if you believe that the above rights have been violated, current legislation allows you to lodge a complaint with the National Supervisory Authority.

Data Protection Officer. The Data Controller is AXACTOR ITALY S.p.A., with registered office in Cuneo – Via C. Colombaro 36/A - Tel. 0171 65694 - Fax 0171 693407. The Data Controller has appointed a Data Protection Officer ("Data Protection Officer" or "DPO"), whom you can contact to exercise your rights, as well as to receive any information relating to them and / or this Policy:

AXACTOR

- by writing to AXACTOR ITALY SpA, via C. Colombaro 36/A – 12100 Cuneo – to the kind attention of Data Protection Officer;
- by sending an e-mail to: privacy@axactor.com.

The full list of data processors is available on request.

AXACTOR ITALY S.p.A.
AXACTOR ITALY SpA
Via Cascina Colombaro, 36/A
12100 CUNEO (CN)
P. IVA C.F. 02447100043