

**POLICY STATEMENT WITH REGARD TO NATURAL PERSONS PURSUANT TO ARTICLES 13 AND 14 OF REGULATION (EU) 679/2016 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 27 APRIL 2016 (HEREINAFTER THE “POLICY STATEMENT”)**

The Regulation on the “protection of natural persons with regard to the processing of personal data and on the free movement of such data” (hereinafter the “Regulation”) contains a series of rules designed to ensure that the processing of personal data is performed in accordance with the fundamental personal rights and freedoms. This Policy Statement incorporates its provisions.

**SECTION 1 - IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER**

**Intesa Sanpaolo Life dac**, a company incorporated under Irish law authorised to conduct insurance business and regulated by the Central Bank of Ireland, registration number in the Irish Companies Register No. 284248, having its registered office at 1st Floor, International House, 3 Harbourmaster Place, IFSC - Dublin D01 K8F1, Ireland (hereinafter also the “**Company**” or the “**Data Controller**”), belonging to the Intesa Sanpaolo Group and operating in Italy according to the freedom to provide services, processes your personal data (hereinafter the “**Personal Data**”) in the capacity of Data Controller for the purposes indicated in Section 3 of this Policy Statement, in compliance with the Regulation, the Irish and Italian legislative and regulatory provisions implementing the same and any applicable codes of conduct.

For more information, please visit the Company’s website at [www.intesasanpaololife.ie](http://www.intesasanpaololife.ie) and in particular the “Privacy” section, which contains all information concerning the use and processing of Personal Data.

**SECTION 2 - CONTACT DETAILS OF THE DATA PROTECTION OFFICER**

The Company has appointed a “data protection officer” pursuant to the Regulation (the “Data Protection Officer” or “**DPO**”). For all matters relating to the processing of your Personal Data and/or to exercise the rights provided for by the Regulation for the data subject, which are listed in Section 7 of this Policy Statement, you may contact the DPO at the email address [dpo@intesasanpaololife.ie](mailto:dpo@intesasanpaololife.ie) or at the certified email address [privacy.intesasanpaololife@pec.it](mailto:privacy.intesasanpaololife@pec.it), or by post at Intesa Sanpaolo Life dac, 1st Floor, International House, 3 Harbourmaster Place, IFSC - Dublin D01 K8F1, Ireland.

**SECTION 3 - CATEGORIES OF PERSONAL DATA, PURPOSE AND LEGAL BASIS OF PROCESSING**

**Categories of Personal Data**

In conducting its business, the Company, by way of example, processes personal details (first name, surname, date of birth, tax code, etc.), contact details (email address, telephone number, etc.), bank details, data relating to payment orders, residential or other addresses, data deriving from web services, and data defined as special pursuant to the Regulation, referred to in Section 8 of this Policy Statement (for example, data relating to health or psychological/physical incapacity or infirmity connected to legal status, such as prohibition, disqualification or administration of support), of the persons concerned by the insurance contract (policyholder, insured, person requesting a quote, proposer, beneficiaries and/or any representatives thereof), to whom this Policy Statement is addressed.

### **Purpose and legal basis of the processing**

Your Personal Data communicated to the Company or collected from third parties<sup>1</sup> (in the latter case subject to verification of compliance with the conditions of lawfulness by the third parties) are processed by the Company in the context of its business for the following purposes:

#### **a) Provision of services and performance of contracts**

The provision of your Personal Data necessary to provide the services requested and to implement contracts (including documents in the pre-contractual phase) is not mandatory, but refusal to provide such Personal Data means that the Company cannot fulfil what has been requested.

#### **b) Compliance with national and EU regulatory requirements**

The processing of your Personal Data to comply with regulatory requirements is mandatory and your consent is not required.

Processing is necessary to fulfil the legal obligations to which the Data Controller is subject, such as, for example, those arising from regulations relating to anti-money laundering, prevention of terrorist financing, tax, anti-bribery and corruption, fraud prevention and tax evasion in insurance services, or to comply with the provisions of applicable regulations or requests from supervisory and control authorities.

In this context, and merely by way of example, the Company may have to define the customer's risk profile, to assess the adequacy of the contract offered for the entire life of the same and to fulfil the obligations arising from the application of anti-money laundering regulations (in the latter case, an assessment of the customer's risk profile may also be carried out by means of a comparison with public lists to combat international terrorism).

#### **c) Legitimate interest of the Data Controller**

The processing of your Personal Data is necessary in order to pursue a legitimate interest of the Company, namely:

- to carry out activities in order to prevent insurance fraud;
- to manage insurance risk following the conclusion of an insurance contract (including but not limited to the management of relations with co-insurers and/or reinsurers);
- for the management of physical security, understood as the security of persons and corporate assets, including through the acquisition of images and videos as part of video surveillance systems;
- monitoring the security of IT systems and networks to protect the confidentiality, integrity and availability of personal data;
- transmission of personal data within the corporate group for internal administrative purposes;
- exercising and defending a right, in any venue;
- performance of activities not related to the execution of contracts but relevant to the customer relationship (e.g. customer assistance and 'caring');
- management of corporate and strategic transactions such as, for example, mergers, demergers and transfers of business units;
- development and updating of predictive and descriptive models through the production of statistics and reporting for the following purposes: 1. definition of new products and services; 2. verification of the performance of products and services for their improvement; 3. verification of the effectiveness of processes and/or operations of structures; 4. improvement of Data Quality;
- to pursue any additional legitimate interests. In the latter case, the Company may only process your

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<sup>1</sup> For example, insurance brokers, other insurance operators, policyholders in which you are the named insured or beneficiary, any co-obligors; companies in the Intesa Sanpaolo Group of which you are already a customer; individuals from whom we require information or to whom we are required to provide information in order to fulfil requests made by you (e.g. the issue or renewal of insurance cover, settlement of a claim, etc.); association and consortium bodies in the insurance sector; the judiciary, law enforcement agencies and other public bodies.

Personal Data after informing you and establishing that the pursuit of its legitimate interests or those of third parties does not compromise your fundamental rights and freedoms and your consent is not required.

#### SECTION 4 - CATEGORIES OF RECIPIENTS TO WHOM YOUR PERSONAL DATA MAY BE DISCLOSED

For the purposes indicated above, it may be necessary for the Company to disclose your Personal Data to the following categories of recipients:

**1) Intesa Sanpaolo Group companies**, including those that distribute<sup>2</sup> the Company's products and those that provide services to the Company (including but not limited to information technology services, auditing services and portfolio management services).

**2) Third parties** (companies, freelancers, etc.), for example:

- parties that perform insurance intermediation activities<sup>3</sup> such as insurance brokers, agents, sub-agents, insurance and reinsurance mediators, and other channels for the distribution/management of insurance contracts (banks, leasing companies, etc.);
- parties that provide insurance services such as insurers, co-insurers and reinsurers;
- parties that provide corporate or financial services;
- outsourcing companies that carry out, *inter alia*, the uploading and registration of customer data and the relevant contractual documentation;
- payment receipt companies, service companies entrusted with the management, settlement and payment of claims including the central support centre, IT and telematic service companies (for example the service for the management of the Company's information system including email); postal service companies (for the transmission, putting in envelopes, transportation and sorting of customer communications), audit and certification companies; commercial information companies for financial risks; service companies for fraud control; debt collection companies; and service companies for the acquisition, registration and processing of data originating from documents and media provided and originating from customers;
- Professional, legal, medical and fiduciary companies or firms of the Company which provide consultancy and assistance on behalf of the latter;
- parties that store documentation relating to relationships with customers in both electronic and paper form and parties that perform customer support activities (help desk, call centre, etc.) and/or manage communication with customers;
- consortium bodies in the insurance sector operating in mutual exchange with all consortium insurance companies.

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<sup>2</sup> In this regard, it should be noted that, without the need for the consent of the data subject, personal data relating to the reports provided for in the legislation on money laundering between financial intermediaries belonging to the same group may be disclosed (and therefore processed exclusively for anti-money laundering purposes) (Article 39 paragraph 3 of Directive (EU) 2018/843 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, the Fifth Anti-Money Laundering Directive).

<sup>3</sup> In this regard, it should be noted that, without the need for the consent of the data subject, personal data relating to the reports provided for in the legislation on money laundering between obligated parties (insurance companies and insurance brokers) may be disclosed (and then processed exclusively for the purposes of anti-money laundering) in cases relating to the same customer and the same transaction that involve the obligated parties in question, on condition that the latter are subject to the obligations provided for in the current EU anti-money laundering directives, that they belong to the same professional category and that they are subject to professional secrecy and personal data protection obligations (Article 39 paragraph 5 of Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, i.e. the Fourth Anti-Money Laundering Directive).

**3) Authorities** (for example, judicial, administrative, etc.) and other Irish or Italian public entities, such as: the Central Bank of Ireland, IVASS (the Italian Insurance Supervisory Authority); CONSOB (the Italian Companies and Stock Exchange Commission); Garda Síochána, the Irish Revenue Commissioners, the Data Protection Commission, the Italian Data Protection Authority and government ministries; the judiciary; law enforcement agencies; Equitalia Giustizia, mediation bodies pursuant to Legislative Decree No. 28 of 4 March 2010, as well as public information systems established at the corresponding public administrations, including the Tax Register.

The Intesa Sanpaolo Group companies and third parties to whom your Personal Data may be disclosed act as: 1) Data Controllers, i.e. parties that determine the purposes and means of processing Personal Data; 2) Data Processors, i.e. parties that process Personal Data on behalf of the Data Controller or, where applicable, 3) Joint Data Controllers that determine the purposes and means of the processing with the Company.

The updated list of parties identified as Data Controllers, Data Processors or, where applicable, Joint Data Controllers is available on the website at [www.intesasanpaololife.ie](http://www.intesasanpaololife.ie) or may be requested from the Company at the following email address: [dpo@intesasanpaololife.ie](mailto:dpo@intesasanpaololife.ie).

In the event of joint data processing, the Company will make available to the data subject (for example via its website) the essential content of the agreement with the joint data controller pursuant to Article 26, paragraph 1 of the Regulation.

## **SECTION 5 - TRANSFER OF PERSONAL DATA TO A THIRD COUNTRY OR AN INTERNATIONAL ORGANISATION OUTSIDE THE EUROPEAN UNION**

Without prejudice to specific provisions of law<sup>4</sup>, your Personal Data are processed by the Company within the territory of the European Union and are not disseminated.

If necessary, for technical or operational reasons, the Company reserves the right to transfer your Personal Data to countries outside the European Union for which decisions of “adequacy” of the European Commission exist, or on the basis of adequate guarantees or specific derogations provided for in the Regulation.

## **SECTION 6 - METHODS OF PROCESSING AND RETENTION OF PERSONAL DATA**

Your Personal Data are processed using manual, electronic and telematic tools to ensure the security and confidentiality of the data.

Your Personal Data are kept for no longer than is necessary to achieve the purposes for which they are processed, without prejudice to any retention periods required by law or other applicable provisions (e.g. codes of conduct).

In particular, your Personal Data are generally kept for a period of ten years from the end of the contractual relationship to which you are a party; or for 12 months from the issue of the requested quote if this is not followed by the conclusion of the final insurance proposal. The Personal Data may, in any case,

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<sup>4</sup> Under the terms of the intergovernmental agreement signed between the US and Ireland for the purpose of the application of the US legislation known as FATCA (Foreign Account Tax Compliance Act), the Company may be required to provide your Personal Data and more generally information regarding the insurance contract to the Irish Revenue Commissioners, which may in turn disclose the information received to the competent US authority. As an insurance company incorporated under Irish law, the Company is required to disclose certain information, in application of the Irish rules implementing international agreements on the exchange of financial information for tax purposes, in accordance with the CRS (Common Reporting Standards) and DAC2 (Directive 2014/107/EU), which provide for the automatic exchange of financial information between financial administrations to combat tax evasion by persons resident in (or also in) countries other than Ireland.

be processed for a longer period, if an act interrupts and/or suspends the requirement justifying the extension of retention of the data, or if situations exist that are governed by specific regulatory provisions (including any codes of conduct) requiring retention of the data for a further period.

## **SECTION 7 - RIGHTS OF THE DATA SUBJECT**

As a data subject, you may exercise the rights listed below, provided for in the Regulation, in respect of the Data Controller at any time by sending a specific request in writing to the email address [dpo@intesasanpaololife.ie](mailto:dpo@intesasanpaololife.ie) or to the certified email address [privacy.intesasanpaololife@pec.it](mailto:privacy.intesasanpaololife@pec.it) or by post to Intesa Sanpaolo Life dac, 1st Floor, International House, 3 Harbourmaster Place, IFSC - Dublin D01 K8F1, Ireland.

In the same manner, you may withdraw your consent to the processing of your Personal Data at any time for one or more specific purposes indicated in this Policy Statement.

Any notices and actions undertaken by the Company in connection with the exercise of the rights listed below shall be provided free of charge. However, if your requests are manifestly unfounded or excessive, in particular because they are made repeatedly, the Company may charge you a fee, taking into account the administrative costs incurred, or refuse to comply with your requests.

The Company will respond to requests from data subjects relating to the rights mentioned in this section as soon as possible after receiving the relevant request and, in any case, within one month of receiving it. This period may be extended by two months, if necessary, taking into account the complexity and number of requests.

### **1. Right of access**

You may obtain confirmation from the Company as to whether or not your Personal Data are being processed and, in that case, obtain access to the Personal Data and information provided for by Article 15 of the Regulation, including, by way of example: the purposes of processing and the categories of Personal Data processed.

If the Personal Data are transferred to a third country or an international organisation, you have the right to be informed that adequate guarantees exist in connection with the transfer.

If requested, the Company may provide you with a copy of the Personal Data that are subject to processing. The Company may charge a reasonable fee based on administrative costs for any further copies. If the request in question is submitted by electronic means, and unless otherwise indicated, the information will be provided to you by the Company in a commonly used electronic format.

### **2. Right to rectification**

You may obtain from the Company the correction of any of your Personal Data that are inaccurate and, taking into account the purposes of the processing, additions thereto if they are incomplete, by providing a supplementary statement.

### **3. Right to erasure**

You may obtain the erasure of your Personal Data from the Data Controller if one of the reasons provided by Article 17 of the Regulation exists, including, by way of example, if the Personal Data are no longer necessary for the purposes for which they were collected or otherwise processed or if the consent on which the processing of your Personal Data is based has been withdrawn by you and there is no other legal basis for the processing.

We inform you that the Company cannot proceed with the erasure of your Personal Data: if their processing is necessary, for example, for the fulfilment of a legal obligation, for reasons of public interest or for the establishment, exercise or defence of a right in court.

#### **4. Right to restriction of processing**

You may obtain the restriction of the processing of your Personal Data if one of the cases provided for in Article 18 of the Regulation applies, including, for example: in the event that you challenge the accuracy of your Personal Data being processed or if your Personal Data are necessary for you to establish, exercise or defend a right in court, although the Company no longer needs them for the purposes of processing.

#### **5. Right to data portability**

If the processing of your Personal Data is based on consent or is necessary for the performance of a contract or pre-contractual measures and the processing is carried out by automated means, you may:

- request to receive the Personal Data provided by you in a structured, commonly used and machine-readable format (for example: computer and/or tablet);
- transmit your received Personal Data to another data controller without hindrance from the Company.

You may also request that your Personal Data be transmitted by the Company directly to another data controller indicated by you if this is technically feasible for the Company. In this case, you will provide us with all the exact details of the new data controller to which you intend to transfer your Personal Data, providing us with appropriate written authorisation.

#### **6. Right to object**

You may object at any time to the processing of your Personal Data if the processing is carried out for the performance of an activity in the public interest or for the pursuit of a legitimate interest of the Data Controller (including profiling activity).

If you decide to exercise the right to object described herein, the Company will refrain from processing your Personal Data further, unless there are legitimate reasons to proceed with the processing (reasons that prevail over the interests, rights and freedoms of the data subject), or the processing is necessary for the establishment, exercise or defence of a right in court.

#### **7. Automated decision-making process relating to natural persons, including profiling**

Article 22 of the Regulation provides for the right not to be subject to a decision based solely on automated processing of your Personal Data, including profiling, which produces legal effects concerning you or that significantly affects you, unless the said decision:

- a) is necessary for the conclusion or performance of a contract between you and the Company;
- b) is authorised by Italian or European law;
- c) is based on your explicit consent.

The Company carries out automated decision-making processes for the underwriting of insurance products and their consequent conclusion and performance<sup>5</sup>. The Company will take appropriate steps to protect your rights, freedoms, and legitimate interests and you may exercise the right to obtain human intervention on the part of the Company, to express your opinion or to challenge the decision.

#### **8. Right to lodge a complaint with the Data Protection Authority**

Without prejudice to your right of recourse to any other administrative or judicial authority, if you believe

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<sup>5</sup> For example, in order to check the underwriting limits relating to the contract (e.g. the age of the insured).

that the processing of your Personal Data by the Data Controller is in breach of the Regulation and/or applicable regulations, you may lodge a complaint with the competent Data Protection Authority pursuant to Article 77 of the Regulation<sup>6</sup>.

#### **SECTION 8 – PROCESSING OF SPECIAL CATEGORIES OF PERSONAL DATA**

In relation to the processing of special categories of personal data (capable of revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership and concerning genetic data and biometric data to uniquely identify a natural person, data relating to health or data relating to the sex life or sexual orientation of the person), necessary for the underwriting and stipulation of the insurance policy, as well as for the subsequent phase of contractual management and performance, an explicit expression of consent is required, except in the specific cases provided for in the Regulation that allow the processing of such Personal Data even in the absence of consent.

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<sup>6</sup> Article 77(1) of the Regulation states that “... a data subject who considers that the processing of his/her data breaches this Regulation has the right to lodge a complaint with a supervisory authority, in particular in the Member State in which he/she normally resides, works, or in the place where the alleged breach occurred”.