

## **INFORMATION DOCUMENT REGARDING PERSONS UNDER ARTICLES 13 AND 14 OF THE EUROPEAN COMMUNITIES REGULATION 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 27 APRIL 2016 (THE “STATEMENT”)**

The Regulation (EU) 2016/679 on ‘The protection of individuals regarding Personal Data processing and the free movement of such data’ (hereinafter the “**Regulation**”) contains a set of rules designed to ensure that Personal Data is processed with due respect for fundamental rights and freedoms of individuals. This Statement incorporates the pertinent provisions.

### **SECTION 1 – IDENTITY AND CONTACT DETAILS OF THE DATA CONTROLLER**

**Intesa Sanpaolo Life dac.**, a company under Irish law authorised for insurance activity and regulated by the Central Bank of Ireland, Irish company registry number No. 284248, with registered office at 1st Floor, International House, 3, Harbourmaster Place IFSC Dublin, Ireland-D01 K8F1 (hereinafter also the “**Company**” or the “**Processing Controller**” or the “**Controller**”), part of the Intesa Sanpaolo Group and operating in Italy under the freedom to provide services, processes your Personal Data (“**Personal Data**”) as a controller of processing for the purposes mentioned in Section 3 of this statement, pursuant to the Irish and Italian laws and Regulations implementing the same and any applicable codes of conduct.

For more information, visit the Company's website [www.intesasanpaololife.ie](http://www.intesasanpaololife.ie) and, in particular, the ‘Privacy’ Section with all information relating to the use and processing of Personal Data.

### **SECTION 2 – CONTACT DETAILS OF THE DATA PROTECTION OFFICER**

The Company has appointed the "Data Protection Officer" as required by the Regulations ("Data Protection Officer" or "DPO"). For all matters relating to the processing of your Personal Data and / or to exercise the rights provided by the same Regulation by the party concerned, listed in Section 7 of this Notice, you may contact the DPO at the e-mail address [dpo@intesasanpaololife.ie](mailto:dpo@intesasanpaololife.ie), or by mail to Intesa Sanpaolo Life dac, 1st Floor, International House, 3 Harbourmaster Place, IFSC - Dublin D01 K8F1, Ireland.

### **SECTION 3 – CATEGORIES OF PERSONAL DATA, THE PURPOSE AND LEGAL BASIS OF THE PROCESSING**

#### **Categories of Personal Data**

The Company, in carrying out its activity, is limited, for example, to personal details, contact details (e-mail address, phone number, *etc.* ), data concerning payment provisions, data from web services, and particular defined data pursuant to these Regulations, referred to in Section 8 of this Statement (for example, health data and biometric data in case of use of e-signing), stakeholders of the insurance contract (policyholder, insured person, person requesting a quote or a proposal, proponent, beneficiaries and/or, if any, their representatives), for whom this Statement is intended.

### **Purpose and legal basis of Personal Data processing**

Your Personal Data, communicated by you to us or collected from third parties<sup>1</sup> (in the latter case subject to verification of third parties' legal compliance) are processed by the company as part of its own activities for following purposes:

#### **a) Ratification, execution, and management of contracts — provision of required services**

The processing of your Personal Data necessary to evaluate the insurance proposal (including the other pre-contractual phase documents), ratify, implement and manage contracts in which the data subject is a part or to provide the requested services, but refusal to supply such Personal Data makes it impossible for the company to conclude the contract or, if already concluded, to implement it or otherwise comply with the request.

Within this purpose of processing, your consent is not required, with the exception of particular defined data referred to in Section 8 of this Statement.

#### **b) Compliance with national and Community Regulations**

The processing of your Personal Data to comply with regulatory requirements is necessary and does not require your consent.

Processing is necessary, to fulfil legal obligations to which the processing Controller is subject, such as, for example, when it is prescribed by the Regulations against money laundering, the prevention of the financing of terrorism, corruption, taxes, fraud prevention, tax evasion, and insurance services, or to comply with the provisions of applicable Regulations or requirements of the supervisory Authority and control.

In this area, and, without limitation, the company may need to define the client's risk profile to assess the adequacy of the contract offered over the entire course of life and to fulfil the obligations arising from the application of anti-money laundering legislation.

#### **c) Direct and indirect marketing<sup>2</sup>**

Personal data processing,

- to carry out activities functional to the promotion and sale of products and services of the Company, companies of the Intesa Sanpaolo Group or third parties<sup>3</sup> (including conducting market research, commercial activities and second chance offers) through letters, telephone, Internet, SMS, MMS and other communication systems; is optional and requires consent.

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<sup>1</sup> For example, insurance brokers ratifying policies in which you are insured, any co-debtors, other insurance operators (e.g. other insurance companies, etc.); company of Gruppo Intesa Sanpaolo of which you are already a client; entities or individuals which, to meet your request (e.g. issuance or renewal of insurance coverage, liquidation of damage, etc.) we request information or who are required to communicate information to us; associations and consortia in the insurance sector; Magistrate, Forces of Order and other public entities.

<sup>2</sup> The purpose of the processing relates solely to the Personal Data concerning the policy to the applicant requesting the proposal or quote and the proponent. This does not concern the Personal Data of the insured person (if different from the contractor of the policy), and any representative, for whom specific consent is not required.

<sup>3</sup> In this regard, it is indicated that, without the need for consent of the data subject, the following may be subject to communication (and consequently, processing within the exclusive purposes of fighting money laundering) the personal data concerning the indications provided by the discipline in the matter of money laundering among financial brokers belonging to the same group (Article 39 of the Directive (EU) 2015/849 regarding prevention of the use of the financial system for the purpose of laundering money or financing terrorism, 'Anti-Money Laundering Directive IV').

**d) Legitimate interest of the holder**

Your Personal Data is required to pursue a legitimate interest of the company, namely:

- carry out fraud prevention activity and the protection of their rights;
- insurance risk management following the ratification of an insurance contract (without limitation customer relationship management-insurers and/or reinsurers);
- contact you (via postal mail, e-mail, telephone, Internet, SMS, MMS and other communication systems) in order to raise some questions for assessing the suitability of the products purchased and/or the correctness and quality of the activities and services rendered (customer satisfaction), with the aim of improving the quality of services rendered to you and, more generally, to customers. In this context it should be noted that answering the questions is always optional and refusal to respond has no consequences:
- pursue any more legitimate interests. In the latter case, the company may process your Personal Data only after it has been informed and having ascertained that the pursuit of its legitimate interests or those of third parties does not compromise its rights and fundamental freedoms; and
- does not require your consent.

**SECTION 4 – CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL DATA MAY BE DISCLOSED**

To achieve the above purposes, it may be necessary for the company to communicate your Personal Data to the following categories of recipients:

- 1) **Companies of the Intesa Sanpaolo Group**, including those which distribute<sup>3</sup> the products of the company and those providing services on its behalf (purely for example: IT services, auditing services and portfolio management services).
- 2) Third parties (companies, freelancers, *etc.*) operating both within and outside the European Union, for example:
  - persons who perform activities of insurance brokerage<sup>4</sup> such as insurance brokers, agents, subagents, direct insurance and reinsurance brokers, and other distribution channels/contract management insurance (banks, leasing companies, *etc.*);
  - persons performing insurance services such as insurers, co-insurers, and re-assurers;
  - persons performing financial or corporate services;
  - outsourcing companies performing, among others, activities of data loading and recording of the client data and relative contractual document;
  - collection service companies; service companies entrusted with the management, settlement and payment of claims, including the assistance operations centre, computer and electronic services company (for example, the service for management of the company's information system including e-mail); postal services company (for transmission, packaging, transport and handling of client communications), independent auditing and certification companies; commercial

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<sup>4</sup> In this regard, it is indicated that, without the need for the consent of the data subject, personal data may be subject to communication (and consequently, processing for the exclusive purpose of fighting money laundering) when concerning the indications provided by the discipline in the matter of money laundering among obligated subjects (Insurance company and insurance Broker) in the cases regarding the same client and the same operation which involve the obligated subject in question, on the condition that they are subject to obligations provided by the European directives in effect on the matter of money laundering, which belong to the same professional category and are subject to obligations in the matter of personal secrecy and personal data protection (Article 39 of the Directive (EU) 2015/849 regarding prevention of the use of the financial system for the purposes of money laundering or financing terrorism, 'Anti-Money Laundering Directive IV').

- financial risk information companies; fraud control services company; debt collection companies; service companies for acquisition, registration and processing of data from documents and media supplied and created by the customers themselves;
- companies or professional offices, lawyers, doctors and experts who are trustees of the Company which perform activities of consultancy and assistance on behalf of the latter;
  - persons engaged in storing documentation related to transactions with customers, whether electronic or on paper and persons engaged in customer service (help desks, call centres, etc.) and/or manage communication with clients;
  - insurance consortia organisations operating in mutual exchange with all insurance companies belonging to the Consortium;
  - company involved in evaluating quality of services, market research, information and commercial promotion of products and services.
- 3) Public authorities (for example, judicial, administrative, etc. ), be they Irish or Italian as required: Central Bank of Ireland, IVASS (*Istituto per la Vigilanza sulle Assicurazioni*); CONSOB (*Commissione Nazionale per le Società e la Borsa*); Garda Síochána, Irish Revenue Commissioners, Data Protection Commissioner, Authority for the protection of Personal Data, ministries; Judiciary; Law enforcement; Equitalia Justice, Mediation bodies under the *[Italian]* Legislative Decree of 4 March 2010, number 28, and public information systems established at the relevant public administrations including the tax registry.

Intesa Sanpaolo Group companies and third parties to whom Personal Data can be communicated to act as:

- 1) Data controllers, namely persons who determine the purposes and means of Personal Data processing;
- 2) Processors, namely persons who process Personal Data on behalf of the owner, or possibly;
- 3) Joint data controllers who determine with the Company the purposes and means thereof.

The updated list of entities identified as controllers, processors or possibly joint holders is available on the website [www.intesasanpaololife.ie](http://www.intesasanpaololife.ie) or can be requested from the Company at the following e-mail address: [dpo@intesasanpaololife.ie](mailto:dpo@intesasanpaololife.ie)

In the case of joint control of processing, the company shall be responsible for providing to the interested (for instance via its website) a summary of the agreement with the joint 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 the provisions of specific legislation<sup>5</sup>, your Personal Data is processed by the company within the territory of the European Union and are not disclosed.

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<sup>5</sup> Pursuant to the provisions of the intergovernmental agreement signed between the U.S.A. and Ireland, intended for the application of the United States regulations known as FATCA (Foreign Account Tax Compliance Act) the Company may be required to provide your Personal Data, and more in general, information regarding the insurance contract to the Irish Revenue Commissioners, which in turn may communicate the information received to the competent U.S. Authorities. The Company, as an insurance company under Irish law, must communicate any information in application of the Irish regulation enacting the international agreements in the matter of

If necessary, for technical or operational reasons, the company reserves the right to transfer your personal information to countries outside the European Union for which there are decisions of 'adequacy' of the European Commission, which is based on adequate guarantees or specific waivers provided for by the Regulation.

## **SECTION 6 – PROCESSING MODES AND TIMES OF RETENTION OF PERSONAL DATA**

Personal data processing takes place by manual means, IT and telematic tools and to ensure the security and confidentiality of the data.

Your Personal Data shall be kept for a period of time no longer than is necessary for the purposes for which it is processed, subject to the retention periods prescribed by law or by other applicable provisions (e.g., code of conduct).

In particular, your Personal Data is generally kept for 10 (ten) years from the termination of the contractual relationship of which you are a party; or, for a shorter period of 12 months in the case of issuance of a proposal/quote or from signing a proposal, in the assumption of a proposal/quote you requested or if your contract proposal is not followed by ratification of the final insurance contract.

In any event, Personal Data may be processed for a longer period, when an action suspends/ interrupts the limitation period, justifying prolonging the retention of the data, or situations recur which are disciplined by specific regulatory dispositions (including any codes of conduct) which prescribe retention of data for a lower period.

## **SECTION 7 – DATA SUBJECT'S RIGHTS**

As an interested party, you may exercise toward the controller at any time the rights provided for in the Regulations listed below, by sending a request in writing to the e-mail address [dpo@intesasanpaololife.ie](mailto:dpo@intesasanpaololife.ie) or the certified electronic mail address [privacy.intesasanpaololife@pec.it](mailto:privacy.intesasanpaololife@pec.it) or by postal mail to Intesa Sanpaolo Life dac, 1st Floor, International House, 3, Harbourmaster Place IFSC Dublin, K8F1-D01, Ireland.

In the same way, you may revoke at any time the consent expressed regarding personal data processing for one or more specific purposes indicated in this Statement.

Any communication and actions taken by the company against the exercise of the rights listed below, will be made free of charge. However, if your requests are manifestly unfounded or excessive, especially for their repetitive nature, the company may charge you a fee, taking into account the administrative costs incurred, or refuse to comply with your requests.

The Company shall respond to requests of the data subjects regarding the rights mentioned in this Section as soon as possible, as soon as it has received the pertinent request and, in any case, within one month of receiving it. This term may be extended by two months, if necessary, considering the complexity and number of requests.

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

You may obtain confirmation from the Company whether or not your Personal Data is being processed and, if so, obtain access to Personal Data and information provided under Article 15 of the Regulation, including, but not limited to: the purpose of the processing and the categories of Personal Data processed.

When Personal Data is transferred to a third country or to an international organisation, you have the right to be informed of the existence of adequate safeguards for the transfer.

If required, the company may provide a copy of the Personal Data regarding you being processed. For any additional copies the company may charge you a reasonable cost-based fee. If the request is submitted by electronic means, and unless indicated otherwise, the information will be provided by the company in a commonly used electronic format.

### **2. Right of correction**

You may obtain from the Company the correction of any inaccurate Personal Data such as, taking into account the purposes of the processing, its integration, if they are incomplete, providing a supplemental Statement.

### **3. Right of withdrawal**

You can obtain the cancellation of your Personal Data in the existence of one of the grounds in Article 17 of the Regulation, including, without limitation, when Personal Data is no longer needed for the purposes for which it was collected or otherwise processed or when the consent on which your Personal Data was processed is withdrawn, and there is no other legal basis for processing.

Please note that the company cannot proceed with the cancellation of your Personal Data if its processing is necessary, for example, to fulfil a legal requirement, for reasons of public interest, or to establish, exercise or defend a legal claim.

### **4. Right to limitation of treatment**

You can get the restriction of the processing of your Personal Data when using one of the hypotheses provided for by Article 18 of the Regulation, including, for example: in the face of a dispute about the accuracy of your Personal Data being processed or if your personal details are necessary to establish, exercise or defend a legal claim, although the company has no more need for the processing.

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

If your Personal Data is based on consent or is necessary for the execution of a contract or contractual measures and processing is done by automated means, you can, pursuant to Article 20 of the Regulation:

- request to receive the Personal Data you provide in a structured format, commonly used and readable by automated device (example: computers and/or tablet);
- transmit your Personal Data received to another processing controller without hindrance from the Company.

You can also request that your Personal Data is transmitted by the company directly to another person who owns of processing indicated, if technically feasible for society. In this case, you are responsible for providing us with exact details of the new data processor to which you wish to transfer your Personal Data, providing us with a written authorisation.

## **6. Right of opposition**

You may object at any time to Personal Data processing when the processing is carried out for the execution of a task in the public interest or in the pursuit of a legitimate interest of the Controller (including profiling).

If you decide to exercise your right of opposition described herein, the company will refrain from further processing of your Personal Data, unless there are legitimate grounds for processing (prevailing reasons regarding the interests, rights and freedoms of the person concerned), or processing is necessary for the establishment, exercise or defence in a court of law.

If, however, your Personal Data is processed for the purpose of marketing, you have the right to object at any time to that processing, including profiling, to the extent that it is connected to such marketing.

## **7. Automated decision-making process concerning individuals, including profiling**

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

- a) is necessary for the ratification or execution of a contract between you and the company;
- b) is authorised by Irish or European law;
- c) is based on his explicit consent.

The company performs automated decision making for the recruitment activities of insurance products and the resulting ratification and execution of the same<sup>6</sup>. The Company will implement appropriate measures to protect your rights, freedoms and legitimate interests and you may exercise the right to obtain human intervention from the company to express your opinion or to challenge the decision.

## **8. Right to submit a complaint to the competent data protection authority**

Notwithstanding your right to take any other administrative or judicial review, if you believe that your Personal Data by the data controller is done in violation of the rules and/or the applicable legislation may propose complaint the competent Authority for the protection of Personal Data pursuant to Article 77 of the Regulation<sup>7</sup>.

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

Regarding the processing of special categories of Personal Data (allowing the disclosure of racial or ethnic origin, political opinions, religious or philosophical beliefs or trade-union membership, and processing of genetic data, biometric data intended to uniquely identify an individual, data concerning health or sex life or sexual orientation of the person), necessary for assumption and ratification of the insurance contract, as well as for the subsequent phase of contract management and execution, explicit manifestation of consent is required, without prejudice to the specific cases provided for in the rules which allow the processing of such Personal Data without consent.

<sup>6</sup> For example, for purposes of verifying assumption limits referred to in the contract (e.g. age of the insured).

<sup>7</sup> Article 77, paragraph 1 of the Regulation provides that '*... the interested party retaining the processing regarding you violates this regulation has the right to file a claim before a monitoring authority, in particular in the member State in which he or she customarily resides or works or the place where the alleged violation took place*'.