



# Data protection information under the EU General Data Protection Regulation in Italy

May, 2018

The following information provides an overview of how we process personal data and rights under data protection law. Which specific data are processed and how they are used are explained on the left hand side for individuals who are our clients and on the right hand side for individuals who are in our systems because of the business relationship between the corporate/ institutional client and the bank.

## Natural Persons

Please also forward this information to the current and future authorised representatives and beneficial owners as well as any co-obligors under a loan. These include, e.g., beneficiaries in the event of death, commercial attorneys-in-fact (Prokuristen) or guarantors.

## Ultimate beneficial owners, authorised representatives/ agents of "legal entities"

Please forward this information to the current and future authorised representatives and beneficial owners as well as any co-obligors under a loan. These include, e.g., beneficiaries in the event of death, commercial attorneys-in-fact (Prokuristen) or guarantors.

## 1. Who is responsible for the data processing and who can I contact in this regard

Controller:

Deutsche Bank AG Milan Branch  
Via Filippo Turati 25/27  
20121 Milano  
protezione.dati@db.com

Controller:

Deutsche Bank AG Milan Branch  
Via Filippo Turati 25/27  
20121 Milano  
protezione.dati@db.com

Our internal data protection officer may be contacted at

Deutsche Bank AG Milan Branch  
Data protection officer  
Via Filippo Turati 25/27  
20121 Milano  
protezione.dati@db.com

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## 2. What sources and data do we use

### Natural Persons

We process personal data which we receive from you in the context of our business relationship. To the extent necessary in order to provide our services, we also process personal data which we lawfully (e.g., for executing orders, performing contracts or on the basis of your consent) receive from other entities within the Deutsche Bank Group or other third parties (e.g., SCHUFA). We also process personal data from publicly available sources (e.g., debtor directories, land registers, commercial registers and registers of associations, press, media, Internet) which we lawfully obtain and are permitted to process.

Relevant personal data collected in dealing with prospective clients, master data set-up, in the context of authorisation (account authorisation and / or credit card holder) or as a co-obligor under a loan (e.g., guarantor) may be:

Name, address / other contact information (telephone, e-mail address), date / place of birth, gender, nationality, marital status, legal capacity, occupational group code / partner type (employed / self-employed), residential status (rental / ownership), identification data (e.g., identification document data), authentication data (e.g., specimen signature), tax-ID, FATCA status, SCHUFA score, EU basic payment account identification.

In context with products or services additional personal data may be collected, processed and stored in addition to the aforementioned data like e.g. salary statements, order status, payment transaction data, tax information, investment behavior / strategy, financial situation, documentation data, cash flow accounts and balance sheets, employer, own and external collateral, experiences with interest rate.

### Ultimate beneficial owners, authorised representatives/ agents of "legal entities"

We process personal data that we receive from you in your capacity as the authorised representative / agent of the legal entity (prospective and / or existing client). We also process personal data from publicly available sources (e.g., commercial registers and registers of associations media, Internet) which we lawfully obtain and are permitted to process.

Relevant personal data of the authorised representative / agent collected:

Name, address / other contact information (telephone, e-mail address), date / place of birth, gender, nationality, marital status, legal capacity, employed / self-employed, identification data (e.g., identification document data), authentication data (e.g., specimen signature), tax-ID.

When products / services are purchased and used, additional personal data may be collected, processed and stored in addition to the aforementioned data. These primarily include:

Information and records on knowledge of and / or experience with securities, interest rate / currency products / financial investments (MiFID status: suitability / appropriateness test).



### 3. Why do we process your data (purpose of the processing) and on what legal basis

#### Natural Persons

We process the aforementioned personal data in compliance with the provisions of the EU General Data Protection Regulation (GDPR) and the applicable local data protection law.

#### a. for the performance of contractual obligations (article 6 (1) b) GDPR)

The processing of personal data is carried out in order to perform banking transactions and financial services pursuant to contracts with our clients or to take steps at your request prior to entering into a contract.

The purposes of the data processing are primarily dependent on the specific product (see no. 2) and may include, among other things, requirements analyses, advice, asset management and transactional services. For further details on the purpose of the data processing, please refer to the respective contractual documentation and terms and conditions.

#### b. for compliance with a legal obligation (article 6 (1) c) GDPR) or in the public interest (article 6 (1) e) GDPR)

As a bank, we are also subject to various legal obligations (i.e., statutory requirements, Italian Money Laundering Regulation, tax laws) as well as banking supervisory requirements (e.g., the European Central Bank, the European Banking Supervisory Authority, Deutsche Bundesbank and the German Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht – BaFin), Bank of Italy and Consob.

Other purposes of processing include credit checks, identity and age verification, anti-fraud and anti-money laundering measures, the satisfaction of tax law control and reporting obligations as well as the assessment and management of risks in the bank and the Group.

#### c. for the purposes of safeguarding legitimate interests (article 6 (1) f) GDPR)

Where necessary, we process your data above and beyond the actual performance of our contractual obligations in order to safeguard the legitimate interests pursued by us or by a third party. Examples:

- Consulting and exchanging data with credit agencies (e.g., SCHUFA) to determine credit or default risks and requirements in the case of a garnishment protection account or basic payment account
- Evaluating and optimising procedures for demand analysis and for approaching clients directly; incl. client segmentation and calculating the likelihood of closure.
- Advertising or market and opinion research, to the extent that you have not objected to having your data used
- Asserting legal claims and mounting a defence in the event of litigation
- Ensuring the bank's IT security and IT operations
- Preventing crimes
- Video surveillance to safeguard against trespassers, to gather evidence in the event of robbery or fraud or to document disposals and deposits, e.g., at ATMs
- Measures for building and systems security (e.g., admittance control)
- Measures to ensure against trespassing
- Measures to manage business and further develop services and products
- Group risk management

#### d. on the basis of your consent (article 6 (1) a) GDPR)

Insofar as you have granted us consent to the processing of personal data for specific purposes (e.g., transfer of data within the association / Group), the lawfulness of such processing is based on your consent.

Any consent granted may be revoked at any time. This also applies to the revocation of declarations of consent that are granted to us prior to the entry into force of the EU General Data Protection Regulation, i.e., prior to 25 May 2018.

Please be advised that the revocation shall only have effect for the future. Any processing that was carried out prior to the revocation shall not be affected thereby. You can request a status overview of the consents you have granted from us at any time or view some of them when banking online.

#### Ultimate beneficial owners, authorised representatives/ agents of "legal entities"

We process the aforementioned personal data in compliance with the provisions of the General Data Protection Regulation (GDPR) and the applicable local data protection law

#### a. for the performance of contractual obligations (article 6 (1) b) GDPR)

The processing of personal data is carried out in order to perform banking transactions and financial services pursuant to contracts with our clients or to take steps prior to entering into a contract.

For further details on the purpose of the data processing, please refer to the respective contractual documentation and terms and conditions.

#### b. for compliance with a legal obligation (article 6 (1) c) GDPR) or in the public interest (article 6 (1) e) GDPR)

As a bank, we are also subject to various legal obligations (i.e., statutory requirements, Italian Money Laundering Regulation, tax laws) as well as banking supervisory requirements (e.g., the European Central Bank, the European Banking Supervisory Authority, Deutsche Bundesbank and the German Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht – BaFin), Bank of Italy and Consob.

The purposes of processing include identity and age verification as well as anti-fraud and anti-money laundering measures.

#### c. for the purposes of safeguarding legitimate interests (article 6 (1) f) GDPR)

Where necessary, we process your data above and beyond the actual performance of our contractual obligations in order to safeguard the legitimate interests pursued by us or by a third party. Examples:

- Asserting legal claims and mounting a defence in the event of litigation
- Ensuring the bank's IT security and IT operations
- Preventing crimes
- Video surveillance to safeguard against trespassers, to gather evidence in the event of robbery or fraud or to document disposals and deposits, e.g., at ATMs
- Measures for building and systems security (e.g., admittance control)
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Any consent granted may be revoked at any time. This also applies to the revocation of declarations of consent that are granted prior to the entry into force of the EU General Data Protection Regulation, i.e., prior to 25 May 2018.

Please be advised that the revocation will only take effect in the future and does not apply to processing carried out prior thereto.



## 4. Who receives my data

### Natural Persons

Within the bank, those offices are given access to your data which require them in order to perform our contractual and statutory obligations. Service providers and vicarious agents employed by us may also receive data for these purposes if they observe banking secrecy and our written instructions under data protection law. These are mainly companies from the categories listed below.

With regard to the transfer of data to recipients outside the bank, it must first of all be noted that as a bank we are under a duty to maintain secrecy about any customer-related facts and evaluations of which we may have knowledge (Banking secrecy under no. 2 of our General Business Conditions). We may only disclose information about you if we are legally required to do so, if you have given your consent, if we are authorized to provide bank information and/or if processors commissioned by us guarantee compliance with banking secrecy and the provisions of the GDPR/local data protection law.

Under these conditions, recipients of personal data may be, for example:

- Public authorities and institutions (e.g., Deutsche Bundesbank, BaFin, the European Banking Authority, the European Central Bank, tax offices, Bank of Italy and Consob) insofar as a statutory or official obligation exists.
- Other credit and financial services institutions, comparable institutions and processors to whom we transfer personal data in order to perform the business relationship with you. Specifically: processing of bank references, support / maintenance of EDP/ IT applications, archiving, document processing, call centre services, compliance services, controlling, data screening for anti-money laundering purposes, data destruction, purchasing/procurement, space management, real estate appraisals, loan processing service, collateral management, collection, payment card processing (debit card/credit cards), customer management, letter shops, marketing, media technology, reporting, research, risk controlling, expense accounting, telephony, video identification, website management, investment services, share register, fund management, auditing services, payment transactions.

Other recipients of data may be those offices to which you have given your consent to the transfer of data or with respect to which you have exempted us from banking secrecy by agreement or consent.

### Ultimate beneficial owners, authorised representatives / agents of "legal entities"

Within the bank, those offices are given access to your data which require them in order to perform our contractual and statutory obligations. Service providers and vicarious agents employed by us may also receive data for these purposes if they observe banking secrecy and our written instructions under data protection law.

With regard to the transfer of data to recipients outside the bank, it must first of all be noted that as a bank we are under a duty to maintain secrecy about any customer-related facts and evaluations (applies equally to authorized representatives / agents) of which we may have knowledge (Banking secrecy under our General Business Conditions).

We may only disclose information about you if we are legally required to do so, if you have given your consent and / or if processors commissioned by us guarantee compliance with banking secrecy and the provisions of the GDPR / local data protection law.

## 5. Is data transfer to a third country or to an international organisation

### Natural Persons

Data will only be transferred to countries outside the EU or the EEA (so-called third countries) if this is required for the execution of your orders (e.g. payment and securities orders), prescribed by law (e.g., reporting obligations under tax law), if you have given us your consent or in the context of commissioned data processing. If service providers in a third country are used, they are obligated to comply with the data protection level in Europe in addition to written instructions by agreement of the EU standard contractual clauses.

### Ultimate beneficial owners, authorised representatives / agents of "legal entities"

Data will only be transferred to countries outside the EU or the EEA (so-called third countries) if this is required for the execution of your client's orders (e.g. payment and securities orders), prescribed by law (e.g., reporting obligations under tax law), if you have given us your consent or in the context of commissioned data processing. If service providers in a third country are used, they are obligated to comply with the data protection level in Europe in addition to written instructions by agreement of the EU standard contractual clauses.

## 6. How long will my data be stored

### Natural Persons

We process and store your personal data as long as it is necessary for the performance of our contractual and statutory obligations. In this regard, it should be noted that our business relationship is a continuing obligation designed to last for several years.

If the data are no longer required for the performance of our contractual and statutory obligations, they are regularly deleted, unless their further processing (for a limited time) is necessary for the following purposes:

- Compliance with records retention periods under civil, commercial and tax law.
- Preservation of evidence within the scope of statutes of limitations.

### Ultimate beneficial owners, authorised representatives / agents of "legal entities"

We process and store your personal data as long as you are authorized to represent the respective legal entity in dealings with us.

If the data are no longer required for the performance of our contractual and statutory obligations, they are regularly deleted, unless their further processing (for a limited time) is necessary for the following purposes:

- Compliance with records retention periods under civil, commercial and tax law.
- Preservation of evidence within the scope of statutes of limitations.



## 7. What data protection rights do I have

### Natural Persons

Every data subject has a right of access (article 15 GDPR), a right to rectification (article 16 GDPR), a right to erasure (article 17 GDPR), a right to restriction of processing (article 18 GDPR), a right to object (article 21 GDPR) and a right to data portability (article 20 GDPR). Data subjects also have a right to lodge a complaint with a supervisory authority (article 77 GDPR).

You may revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that are granted prior to the entry into force of the EU General Data Protection Regulation, i.e., prior to 25 May 2018. Please be advised that the revocation will only take effect in the future. Any processing that was carried out prior to the revocation shall not be affected thereby.

### Ultimate beneficial owners, authorised representatives / agents of "legal entities"

Every data subject has a right of access (article 15 GDPR), a right to rectification (article 16 GDPR), a right to erasure (article 17 GDPR), a right to restriction of processing (article 18 GDPR), a right to object (article 21 GDPR) and a right to data portability (article 20 GDPR). Data subjects also have a right to lodge a complaint with a supervisory authority (article 77 GDPR).

You may revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that are granted prior to the entry into force of the EU General Data Protection Regulation, i.e., prior to 25 May 2018. Please be advised that the revocation will only take effect in the future. Any processing that was carried out prior to the revocation shall not be affected thereby.

## 8. Am I under obligations to provide data

### Natural Persons

Within the scope of our business relationship, you must provide personal data which is necessary for the initiation and execution of a business relationship and the performance of the associated contractual obligations or which we are legally obligated to collect. As a rule, we would not be able to enter into any contract or execute the order without these data or we may no longer be able to carry out an existing contract and would have to terminate it.

In particular, provisions of money laundering law require that we verify your identity before entering into the business relationship, for example, by means of your identity card and that we record your name, place of birth, date of birth, nationality and your residential address. In order for us to be able to comply with this statutory obligation, you must provide us with the necessary information and documents in accordance with section 4(6) GWG and notify us without undue delay of any changes that may arise during the course of the business relationship. If you do not provide us with the necessary information and documents, we will not be allowed to enter into or continue your requested business relationship.

### Ultimate beneficial owners, authorised representatives / agents of "legal entities"

Within the scope of our business relationship with the legal entity you represent in dealings with us, you must provide personal data which is necessary for accepting and executing any representative authority / authorization and the performance of the associated contractual obligations or which we are legally obligated to collect. As a rule, we would not be able to accept you as the authorized representative / agent without these data or we would have to revoke any existing representative authority / authorization.

In particular, provisions of money laundering law require that we verify your identity before establishing the authority / authorization, for example, by means of your identity card and that we record your name, place of birth, date of birth, nationality and your residential address. In order for us to be able to comply with this statutory obligation, you must provide us with the necessary information and documents in accordance with section 4 (6) GWG and notify us without undue delay of any changes that may arise during the course of the business relationship. If you do not provide us with the necessary information and documents, we will not be allowed to institute or continue the representative authority / authorization requested by the respective legal entity

## 9. To what extent is automated decision making (including profiling) carried out

### Natural Persons

As a rule, we do not make decisions based solely on automated processing as defined in article 22 GDPR to establish and implement the business relationship. If we use these procedures in individual cases, we will inform you of this separately, provided that this is prescribed by law.

## 10. Is profiling used

### Natural Persons

In some cases, we process your data automatically with the aim of evaluating certain personal aspects (profiling). For instance, we use profiling in the following cases:

- We are required by law to take anti-money laundering and anti-fraud measures. Data evaluations are also carried out (in payment transactions, among other things) in this context. These measures also serve to protect you.
- In order to provide you with targeted information and advice on products, we use evaluation tools. These enable demand-oriented communication and advertising, including market and opinion research.
- We use scoring to assess your creditworthiness. We calculate the likelihood that a given client will meet their contractual payment obligations. The calculation may include, for example, income levels, expenses, existing liabilities, occupation, length of employment, experiences from the previous business relationship, repayment of prior loans in accordance with the contract, and information from credit agencies. Scoring is based on a mathematically and statistically recognized and proven procedure. The calculated score values assist us in our decision-making and are incorporated into ongoing risk management.



Information on your right to object under article 21 of the EU General Data Protection Regulation (GDPR)

**1. Ad hoc right to object**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on article 6 (1) e) GDPR (processing in the public interest) and article 6 (1) f) GDPR (processing for the purposes of safeguarding legitimate interests); this includes any profiling based on those provisions within the meaning of article 4 (4) GDPR.

If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or unless the processing is for the establishment, exercise or defense of legal claims.

**2. Right to object to the processing of data for marketing purposes**

In certain cases, we process your personal data for direct marketing purposes. You have the right to object at any time to processing of personal data concerning yourself for such marketing, which includes profiling to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, we will no longer process your personal data for such purposes.

Objection may be submitted via email to [protezione.dati@db.com](mailto:protezione.dati@db.com) with a copy to his/her/ their designated contact at Deutsche Bank.

Information on your right to object under article 21 of the EU General Data Protection Regulation (GDPR)

**1. Ad hoc right to object**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on article 6 (1) e) GDPR (processing in the public interest) and article 6 (1) f) GDPR (processing for the purposes of safeguarding legitimate interests); this includes any profiling based on those provisions within the meaning of article 4 (4) GDPR.

If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or unless the processing is for the establishment, exercise or defense of legal claims.

Objection may be submitted via email to [protezione.dati@db.com](mailto:protezione.dati@db.com) with a copy to his/her/ their designated contact at Deutsche Bank.