

Notaio Avv. Diego Apostolo

Notaio Valerio Tacchini

Dear Sirs

*Studio Notarile Apostolo– Tacchini Notai Associati*  
Largo Donegani n.2, ang. Via Della Moscova n.3  
20121 – Milan

[Extended information notice on the processing of personal data \(Privacy Code - D. Lgs. 196/2003 as amended by Legislative Decree no. 101/2018 - EU General Data Protection Regulation 2016/679 - Art. 13\)](#)

**Studio Notarile Apostolo – Tacchini Notai Associati** with registered office in Largo Donegani, 2 - 20121 - Milan, tax code and VAT no. 11913050966 (hereinafter, "**Data Controller**"), as data controller, informs you pursuant to Legislative Decree no. 196/2003 as amended by Legislative Decree no. 101/2018 (hereinafter, "**Privacy Code**") and Article 13 EU Regulation no. 2016/679 (hereinafter, "**GDPR**") that your data will be processed in the following ways and for the following purposes:

**1. Subject of processing**

The Data Controller processes personal data, including special data (e.g. name, surname, address, telephone number, e-mail address, identity card, driving license, citizenship, general and specific information on the working career of individuals, financial and banking information, information provided on behalf of third parties by virtue of a mandate or power of attorney), hereinafter "personal data" or also "data", communicated by you when concluding contracts for the services of the Data Controller. Processing of personal data means any operation or set of operations which is performed upon personal data or sets of personal data, whether or not by automatic means, even if they are not recorded in a database, such as collection, recording, organization, structuring, storage, processing, selection, blocking, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**2. Purpose of the processing**

Your personal data are processed: without your express consent (art. 6 lett. b), e) GDPR), for the following Service Purposes:

- to conclude contracts relating to the Data Controller's services;
- to comply with the obligations laid down in the anti-money laundering and anti-terrorism legislation (Legislative Decree no. 231/2007 as amended by Legislative Decree no. 90/2017 and by Legislative Decree 4 October 2019, no. 125;
- to fulfill pre-contractual, contractual and fiscal obligations arising from existing relations with you;
- to fulfill the obligations provided for by law, by a regulation, by EU legislation or by an order of the Authority;
- to exercise the rights of the Data Controller, such as the right of defense in Court.

### **3. Methods of processing**

The processing of your personal data is carried out by means of the operations indicated in art. 4(2) GDPR and precisely: collection, registration, organization, storage, consultation, processing, alteration, selection, extraction, alignment, use, combination, blocking, disclosure, erasure and destruction of data. Your personal data will be processed on paper, as well as by electronic and/or automated means.

The Data Controller shall process the personal data for the time necessary to fulfill the above purposes considering that the notarial deed must be preserved in its original content over time, therefore, the personal data provided for the professional assignment cannot be erased if they are recorded in registers or deeds kept according to the Notarial Law.

### **4. Access to data**

Your data may be made accessible for the purposes mentioned in Article 2 above:

- employees and collaborators of the Data Controller, in their capacity as persons in charge and/or internal data processors and/or system administrators;
- to third party companies or other entities (for example, supervisory authorities, credit institutions, professional firms, consultants, etc.) that perform outsourcing activities on behalf of the Data Controller, in their capacity as external data processors.

### **5. Disclosure of data**

Without the need for your express consent (ex art. 6 lett. b) and c) GDPR), the Data Controller may disclose your data for the purposes set out in Article 2 to supervisory bodies, judicial authorities, public registers, the Italian Tax Authority, the land office [ufficio del territorio] formerly known as the land registry office, as well as to those subjects to whom disclosure is required by law for the fulfillment of the aforementioned purposes. These subjects will process the data in their capacity as autonomous data controllers.

Your data will not be disseminated.

### **6. Data transfer**

Personal data are stored on servers located in the national territory and within the European Union. In any event, it is understood that the Data Controller may move the servers outside the EU if necessary. In this case, the Data Controller hereby ensures that the transfer of data outside the EU will take place in accordance with the applicable legal provisions, subject to the conclusion of the standard contractual clauses provided for by the European Commission.

### **7. Nature of the data provision and consequences in case of refusal**

The provision of data for the purposes set out in Article 2 is mandatory. Failing this, we will not be able to provide you with the Services referred to in Article 2.

### **8. Rights of the data subject**

As a data subject, you have the rights referred to in art. 15 GDPR and specifically the rights to:

- obtain confirmation as to whether or not personal data concerning you exist, even if not yet recorded, and their

disclosure in any intelligible form;

- obtain information on: a) the origin of the personal data; b) the purposes and methods of processing; c) the logic applied in the event of processing carried out with the aid of electronic instruments; d) the identity of the data controller, data processors and the designated representative pursuant to art. 3(1) of the GDPR; e) the subjects or categories of subjects to whom the personal data may be disclosed or who may become aware of it in their capacity as designated representative in the territory of the State, data processors or persons in charge of processing;
- obtain: a) the updating, rectification or, where interested therein, the integration of data; b) the erasure, transformation into anonymous form or blocking of data processed in breach of the law, including data whose retention is unnecessary for the purposes for which the data were collected or subsequently processed; c) certification to the effect that the operations a) and b) referred to above have been notified, as also related to their contents, to the entities to whom or which the data were disclosed or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is protected.
- oppose in whole or in part for legitimate reasons the processing of personal data concerning you, even if relevant to the purpose of collection.

Where applicable, you also have the rights set out in articles 16-21 GDPR (right to rectification, right to be forgotten, right to restriction of processing, right to data portability, right to object), as well as the right to lodge a complaint to the Data Protection Authority.

#### **9. Methods of exercising rights**

You may exercise your rights at any time by sending a registered letter with acknowledgement of receipt to:

**Studio Notarile Apostolo - Tacchini Notai Associati** with registered office in Largo Donegani, 2 - 20121 - Milan, or an e-mail to [privacy@atnotai.com](mailto:privacy@atnotai.com).

#### **10. Data controller, data processor and persons in charge**

**Studio Notarile Apostolo - Tacchini Notai Associati** with registered office in Largo Donegani, 2 - 20121 - Milan, tax code and VAT no. 11913050966. The updated list of data processors and persons in charge of the processing is kept at the registered office of the Data Controller.

**Anti-Money Laundering Disclosures pursuant to Legislative Decree no. 231/2007 and subsequent amendments and integrations**

Notaries, "when, in the name or on behalf of their clients, carry out any transaction of a financial or real estate nature", must comply with customer due diligence obligations:

**a) Identification and verification of identity**

All clients and all those assisting them both during the preparation of the file and during the conclusion of the contract (brokers, professionals, consultants, relatives, friends, etc.) will be identified by means of copies or scans of their identity documents (identity card or passport and possibly also: driving license; nautical license; pension booklet; firearms license; residence permit. Identity documents must be valid. For legal representatives of companies or entities, the actual existence of the powers will also always be checked.

**b) Identification and verification of the identity of the beneficial owner**

The "beneficial owner" is the natural person on whose behalf a transaction or activity is conducted or, in the case of a legal entity, the natural person or persons who ultimately own or control that entity or are its beneficiaries. Pursuant to art. 21 of Legislative Decree 231/07 et seq. "For the purpose of identifying the beneficial owner, the clients shall provide in writing, under their own responsibility, all necessary and up-to-date information of which they are aware."

To this end, each client must complete and sign a form which will be provided for by the Notary's office.

A criminal penalty is provided for under art. 55(2) of Legislative Decree no. 231/07, as amended, which reads as follows: "Unless the act constitutes a more serious offence, the executor of the transaction who omits to indicate the particulars of the person on whose behalf he possibly executes the transaction or indicates them falsely shall be punished by imprisonment from six months to one year and a fine ranging from € 500 to € 5,000."

**c) Information on the purpose and intended nature of the professional service**

Pursuant to art. 21 of Legislative Decree no. 231/07, and subsequent amendments, "Clients shall provide, under their own responsibility, all necessary and up-to-date information to enable the persons covered by this decree to fulfill their obligations relating to customer due diligence" and thus any information on the actual purpose and intended nature of the professional service.

A criminal penalty is provided for under art. 55(3) of Legislative Decree no. 231/07, as amended, which reads as follows: "Unless the act constitutes a more serious offence, a person who fails to provide information on the purpose and nature of the continuing relationship or professional service or provides false information shall be punished by imprisonment from six months to three years and a fine ranging from € 5,000 to € 50,000."

In light of the above, the client must indicate all the means of payment and must provide the Notary's office with all appropriate information in order to trace and demonstrate his financial capacity in relation to the operation he is carrying out, in particular by mentioning the origin of the money (bank loans, third parties by way of donation or financing, etc.).

**d) Politically exposed persons (PEPs)**

Clients must declare whether they are or have any relationship with "politically exposed persons", to be meant as "individuals (Italian and foreign) who who are or have been entrusted with a prominent public position or function, as well as their immediate

family members or their close associates."

1. Individuals who are or have been entrusted with a prominent public position or function are understood to be:

- a) heads of State, Heads of Government, Ministers and Deputy Ministers or Under-Secretaries;
- b) parliamentarians;
- c) members of supreme courts, constitutional courts and other high-level judicial bodies whose decisions are generally not subject to further appeal, except in exceptional circumstances;
- d) members of courts of auditors and central bank boards;
- e) ambassadors, chargés d'affaires and high-ranking officers of the armed forces;
- f) members of the administrative, management or supervisory bodies of state-owned enterprises.

None of the above categories includes middle or lower level officials. The categories referred to in lett. (a) and (e) include, where applicable, roles at European and international level.

2. Immediate family members are defined as:

- a) spouse;
- b) children and their spouses;
- c) those who in the last five years have cohabited with the persons referred to in the previous points; d) parents.

3. For the purposes of identifying the persons with whom the persons referred to in paragraph 1 are known to have close relations, reference shall be made to:

- a) any individual who is known to have joint beneficial ownership of legal entities or any other close business relationship with a person referred to in paragraph 1;
- b) any individual who is the sole beneficial owner of legal entities or legal entities known to have been created in fact for the benefit of the person referred to in paragraph 1.

4. Without prejudice to the application, on a risk-sensitive basis, of enhanced customer due diligence obligations, where a person has ceased to hold important public position or function for a period of at least one year, persons concerned by this Decree shall not be required to consider that person as politically exposed.