

REGULATION (EU) 2016/679 ON THE PROCESSING OF PERSONAL DATA - ARTICLE 13

Kruso Kapital APP - Privacy Policy

Kruso Kapital S.p.A. with registered office at Largo Augusto 1/A, angolo Via Verziere 13 - 20122 Milan, VAT No. 10753220960 (hereinafter the "**Data Controller**" or the "**Company**"), in its capacity as Data Controller, pursuant to Legislative Decree 196/2003, as amended by Legislative Decree 101/2018 (hereinafter the "**Privacy Code**") and Article 13 of Regulation (EU) 2016/679 (hereinafter the "**GDPR**"), informs you that your data will be processed in accordance with the principles of fairness, lawfulness, and transparency, in compliance with the purposes and methods set out below, and collected to the extent necessary and accurate for processing.

The contact details of the Data Protection Officer; DPO (Data Protection Officer), are as follows: privacy@krusokapital.com; by writing here you may exercise your rights under Article 15 et seq. of the GDPR.

1. SUBJECT OF PROCESSING

By this privacy policy the Data Controller intends to provide you with some information regarding the processing of your personal data resulting from the installation of the Kruso Kapital App (hereinafter, the "**App**"), which is necessary in order to be able to use the services provided through the App itself.

The need to collect certain types of personal data is a consequence of the level of services requested by the user/data subject, which determines our compliance with certain legal obligations requiring further information.

For this reason, the policy identifies two management phases, from which the above-mentioned needs arise:

- 1) Registration to the application and potential request for evaluation/offer (common to all data subjects);
- 2) Signing the contract (only for data subjects who formally enter into a contract)

Sections 2 and 3 of this privacy policy describe the types of data collected depending on the service requested, the related purpose, and how they are used.

All processing of personal data will be carried out in accordance with Regulation (EU) 2016/679.

Processing of personal data means any operation or set of operations which is performed on personal data or sets of personal data, whether or not stored in a database, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, processing, selection, blocking, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, comparison or interconnection, restriction, erasure or destruction.

2. APPLICATION REGISTRATION PHASE AND EVALUATION/OFFER REQUESTS APPLICABLE TO ALL USERS/DATA SUBJECTS REGISTERING

2.1 Type of data collected

2.1.1 Data provided by the user

To register on the App and create an account, we ask you to provide us with some data that we need to be able to use our services. These data include, but are not limited to:

- name
- surname
- e-mail address

We may collect such data via social media login/direct registration on the App, depending on the access mode chosen by the data subject.

We will also use the data requested during registration to provide you with any evaluation/offers that may have an interest in and/or to provide you with technical/operational information. We also point out that a WhatsApp chat is available during registration as a support tool for any user/data subject requests. The information collected is necessary for the operation of the chat platform and to enable the operators to provide personalised assistance; the data processed are provided by the data subject when accessing the chat and are as follows: the telephone number; possibly the user's first name and surname or nickname, and the content of the messages in the chat.

2.1.2 Data we collect automatically via the App

When you access the App, we collect certain information directly from the device you are using, such as:

- technical data: e.g. IP address, device information, language, telephone or Internet provider; date, time;
- data on the current (approximate) position of the instrument being used.

Depending on the services activated, the App may require you to access certain functionalities on your mobile device such as: the authentication system used to access the App such as facial recognition or fingerprint, if used; push notifications to inform you of the progress of the services requested (by way of example but not limited to: evaluation of goods, loan offer, receipt of goods, etc.).

2.2 Purposes of processing and legal basis

The personal data you provide will be processed by the Data Controller for the following purposes:

2.2.1 Purposes related to the provision of the services you have requested. By way of example:

- allow the user to access the App by registering an account and provide the required services;
- detect anomalies in the services (for example, the App, a link or a section opens abnormally);
- measure the effectiveness of the services provided by the creation of aggregated information;
- request an evaluation/offer;
- respond to support requests received from users/data subjects.

The provision of personal data necessary for these purposes is not compulsory, but refusal to provide such data will make it impossible for the Company to provide the service. The legal basis for the processing is the performance of an agreement or pre-contractual measures (Article 6(1)(b) GDPR).

With regard to the use of WhatsApp chat, the legal basis for the processing is the consent given by the data subject to the processing of his or her personal data for one or more specific purposes. More precisely, having regard to Articles 6 and 7 GDPR 679/16, the choice to activate the chat is a free expression of consent through an unequivocal positive action to the processing of personal data.

2.2.2 Marketing purposes:

- a) Survey of customer satisfaction with the quality of the services provided and the activities carried out by the Company, through personal interviews, telephone calls, questionnaires, etc., also through third party companies;
- b) Carrying out direct and indirect marketing activities to promote the products and services of the Company and the companies of the Banca Sistema Group, including the organisation of events, either through the use of automated calling systems or calling systems without the intervention of an operator and electronic communications (e-mail, SMS, MMS, etc.), or through the use of paper mail and telephone calls through an operator;
- c) Promotion and sale of products and services of companies of third party companies, including the organisation of events, also through automated systems (SMS, MMS, fax and e-mail);
- d) Communication or transfer of data to third party companies for the purposes of commercial information, market surveys, direct offers of their products and services, either through the use of automated calling systems or calling systems without the intervention of an operator and electronic communications (e-mail, SMS, MMS, etc.), or through the use of paper mail and telephone calls through an operator.

The provision of the data necessary for these purposes is optional and the legal basis for the processing is the consent of the data subjects. The absence of consent will have no impact whatsoever on the relations between the parties as the consent can only lead to an improvement in the service. The consent may be withdrawn at any time by notifying the Data Controller.

3. CONTRACT SIGNATURE PHASE APPLICABLE ONLY TO USERS/DATA SUBJECTS WHO SIGN A CONTRACT

If, after registering on the application and evaluating an offer you have received, you wish to proceed with the signing of the contract, please read the information contained in this section concerning the type of data collected, the purpose and processing methods.

3.1 Type of data collected

3.1.1 Data provided by the user in order to comply with legal obligations and necessary for entering into a contract

The fulfilment of obligations imposed by laws, regulations, and EU legislation, such as those provided for by anti-money laundering legislation, or certain activities strictly necessary for signing the contract, as further specified in the purposes indicated in point 3.2.1. of this privacy policy, determine the need on our part to collect certain additional data of the user/data subject, including, but not limited to, the following:

- Identification data, such as residence and domicile;
- Data and photographs relating to identity documents;

- Information on the profession;
- Income and asset information;
- Bank details.

3.1.2 Data provided by the user for the purpose of his or her certain identification

To sign a contract remotely, you may choose between the following two positive identification options:

- a) issuing and affixing a qualified electronic signature to an ad hoc document issued by a third party provider based on identification using SPID access.

The activation of the Qualified Electronic Signature (Firma Elettronica Qualificata or FEQ) Service involves the processing of the signatory's personal identification data (e.g. name, surname, mobile phone number, e-mail address, etc.) in accordance with the provisions of the Prime Minister's Decree of 22.02.2013 "Technical rules on the generation, affixing and verification of advanced, qualified and digital electronic signatures". In particular, the processing is carried out for the purposes of identification, activation, management of the Service and the fulfilment of the obligations laid down in the Prime Minister's Decree, 22.02.2013.

Your data, which are necessary for signing with a digital signature, will be managed independently by the FEQ Service provider through access with SPID and by the entities that the Data Controller may use to provide the Service and, in particular, to carry out archiving activities and digital storage services for the signed documents.

The Data Controller will acquire the FEQ certificates. For the purposes of providing the FEQ Service via SPID access, the processing of your personal data is necessary; if you do not wish to provide your data for these purposes, it will not be possible to provide you with the Service in question.

- b) Video identification service of users/data subjects.

The Data Controller also provides the customer/data subject with a video recognition service via an authorised external provider as an alternative means of remote identification, in order to deal with cases where the user/data subject does not have a SPID.

In the course of the recorded video call, the supplier may process certain personal data, such as personal and identification data (first name, surname, tax code), contact data (residence and home address, e-mail address, telephone number) and any other information necessary for the establishment and performance of the contract.

Voice, image and video recording data relating to the Customer ("Biometric Data") may also be collected and stored, though their processing is limited to the recording of the audio/video stream relating to the presentation of the identity document and the Customer's interaction with the operator.

The Data Controller may obtain evidence of the correct performance of the video identification activity by the supplier.

3.2 Purposes of processing and legal basis

3.2.1 Purposes related to the provision of the services you have requested:

- Compliance with the obligations of laws, regulations, EU directives or instructions given by the competent authorities, supervisory and control bodies (such as the obligations under anti-money laundering legislation). The provision of personal data for the above purposes is obligatory and the consent of the data subject is not required for them to be processed. The legal basis for processing is compliance with a legal obligation to which the data controller is subject (Article 6(1)(c) of the GDPR).
- Purposes closely related to the management of customer relations in the context of activities conducted according to the Company's Articles of Association, and by law (e.g. by acquiring pre-contractual information, executing transactions on the basis of obligations deriving from a contract with the customer, evaluations and assessments of accounts and related risks) as well as purposes related to the performance of a contract to which the data subject is party. The provision of personal data for the above purposes is not mandatory, but refusal to provide them may, depending on the relationship between the data and the requested service, mean that the Company is unable to provide the service. Processing of the above data does not require the consent of the data subject. The legal basis for such processing is the performance of a contract or pre-contractual measures (Article 6(1)(b) of the GDPR).
- Purposes related to the legitimate interests of the Data Controller and, in particular, only for users who have already used our services, pursuant to Article 130, c. 4 of Legislative Decree 196/2003 as amended by Legislative Decree 101/2018, to promote the sale of products and services (similar or complementary to those you have already used) via your email address, without prejudice to your right to object and no longer receive this type of communication. The provision of personal data necessary for these purposes is not mandatory, but refusal to provide such data may make it impossible for the Company to provide the service itself. The related processing does not require the consent of the data subjects. The legal basis for the processing in question is the legitimate interest of the Data Controller (Article 6, paragraph 1, letter f) of the GDPR).

4. METHODS OF PROCESSING

The processing of your personal data will be carried out by means of the operations listed in Article 4(2) of the GDPR, namely: collection, recording, organisation, storage, consultation, processing, modification, selection, extraction, comparison, use, interconnection, blocking, communication, erasure and destruction of data. Your personal data will be subject to both paper and electronic and/or automated processing.

With regard to the use of WhatsApp chat, the data provided will be processed with the support of computer and IT means necessary for the proper functioning of the platform. With respect to the processing that takes place through the use of the WhatsApp application, please refer to the terms and conditions relating to the processing of personal data at: <https://www.whatsapp.com/legal/business-data-processing-terms/>.

Further information on how personal data are processed, such as those relating to the process of certain identification, is specified in sections 2 and 3 of this policy.

5. DATA ACCESS AND DISCLOSURE

Your data may be made accessible, for the purposes set out in points 2 and 3, to:

- employees and contractors of the Data Controller in their capacity as authorised persons and/or internal data processors and/or system administrators;
- third party companies or other entities (e.g. ICT companies, app developers, consultants, web platform providers, etc.) that carry out outsourced activities on behalf of the Data Controller; in their capacity as external data processors.
- authorised companies providing certain identification services.

The Data Controller may also disclose your data for the above-mentioned purposes to:

- Parties identified by law (e.g. for purposes linked to the administration and assessment of taxes, tax disputes and tax collection: the Revenue Agency; for purposes related to the administration of justice: the judicial authorities; for purposes related to the exercise of supervisory, control and other functions specifically indicated by law: the Bank of Italy);
- companies in the Banca Sistema banking group, and its subsidiaries and associates, also with regard to the anti-money laundering/anti-terrorism obligations pursuant to Articles 35 and 36 of Legislative Decree no. 231 of 21 November 2007, as amended (disclosure to intermediaries belonging to the Banca Sistema banking group, even if located in third countries, is permitted on condition that they apply equivalent measures);
- parties whose products and services are offered by the Company;
- parties providing services related to management of the Company's information system and IT programmes;
- parties carrying out processing and transmission of communications/goods to/from customers (e.g. enveloping, mail management, carriers for delivery/collection of goods, etc.);
- providers of document archiving services;
- providers of customer assistance services (e.g. by telephone);
- parties involved in the management of payment and online collection and cash flow management services;
- operators of national and international fraud control and prevention systems;
- parties working to investigate and fight international terrorism;
- debt recovery agents;
- consultants;
- providers of market research and market survey services or service quality surveys, or parties involved in the promotion of products offered by the Company or by third parties;
- parties carrying out searches - e.g. to verify adverse entries (legal charges, sale, etc.) against the customer on official registers, Companies Registers, or Court registers (to verify whether or not there are any insolvency proceedings in progress);
- parties who control, review and certify the operations carried out by the Company, also in the interests of customers;
- vendors of a company, a business unit, legal relations sold en bloc or individually (e.g. the assignment of receivables);
- entities resulting from the conversion, merger or demerger of the Company.

Parties in the categories reported above eligible to receive personal data will handle them as Data Controllers or Data Processors (as defined by law) within the scope of the existing contractual relationship.

Your data will not be disseminated.

6. STORAGE PERIOD

The data collected by the App during its operation will be kept for the time strictly necessary to perform the specified activities. Once this period has expired, the data will be deleted or made anonymous unless there is a further purpose for retaining the data (e.g. for security reasons in the event of misuse) or if you become our customer. In this case, the Data Controller

will keep the collected personal data for as long as necessary to comply with legal obligations and/or to enforce and/or defend a right in the appropriate venue.
Data collected for the purposes set out in Section 2.2.2 will be processed and stored until consent is withdrawn.

7. DATA TRANSFER

We will normally process your data within the European Union, but for technical or operational reasons we may transfer data outside the European Union or the European Economic Area (known as third countries). The Company hereby ensures that the transfer will be carried out in accordance with the applicable legal provisions by executing, if necessary, agreements ensuring an adequate level of protection and/or by adopting the standard contractual clauses required by the European Commission. For further information, please contact the DPO at privacy@krusokapital.com.

8. RIGHTS OF THE DATA SUBJECT AND HOW TO EXERCISE THEM

The exercise of the rights indicated in this section is not subject to any form of restriction and is free of charge, unless it is manifestly unfounded or excessive within the meaning of Article 12(5) of the EU Regulation. The Data Controller shall provide information on action taken by the data subject without undue delay and within one month of receipt of the request. Extensions are permitted under Article 12(3) of the EU Regulation.

In relation to the processing described in this policy and in accordance with Articles 13(2)(b) and (d), 15, 16, 17, 18, 19, 20, and 21 of the EU Regulation, you may exercise the following rights as the data subject:

- **right of access**, i.e. to obtain from the Data Controller confirmation as to whether or not personal data relating to him or her are being processed and, if so, to obtain access to them;
- **right of rectification**, i.e. the right enabling the data subject to obtain from the Data Controller the rectification of inaccurate personal data concerning him or her without undue delay. Taking into account the purposes of the processing, the data subject has the right to obtain completion of incomplete personal data, also by providing a supplementary declaration.
- **right to erasure** ("right to be forgotten"), i.e. the right enabling the data subject to obtain from the Data Controller erasure of personal data concerning him or her without undue delay if one of the grounds laid down by law;
- **right to withdraw** the prior consent at any time, without affecting the lawfulness of processing based on the consent before its withdrawal;
- **right to restriction** of processing in cases where: 1) the accuracy of the personal data is contested by the data subject, for a period enabling the data controller to verify the accuracy of the personal data; 2) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; 3) the personal data are required by the data subject for the establishment, exercise or defence of legal claims; 4) the data subject has objected to processing pursuant to Article 21 of the GDPR pending the verification whether the legitimate grounds of the data controller override those of the data subject;
- **right to data portability**, namely that the data subject shall have the right to receive the personal data concerning him or her in a structured, commonly used and machine-readable format and have the right to transmit those data to another Data Controller without hindrance from the Data Controller to which the personal data have been provided, where the processing is based on consent or a contract, and is carried out by automated means;
- **right to object**, the data subject shall have the right to object at any time, for reasons connected to his or her particular situation, to the processing of personal data concerning him or her when the processing is carried out for the pursuit of the legitimate interest of the Data Controller. The Data Controller shall no longer process the personal data unless the Data Controller demonstrates compelling legitimate grounds for the processing which override the rights of the data subject or for the establishment, exercise or defence of legal claims;
- **right to object to direct marketing**, the data subject shall have, in particular, the right to object, at any time, to the processing of personal data concerning him or her carried out for direct marketing purposes. The Data Controller shall refrain from further processing of personal data for the related purpose.
- **right to lodge a complaint** with the Italian Data Protection Authority (Garante per la protezione dei dati personali) if you believe that your rights have not been respected. Contact details of the Italian Data Protection Authority (Garante per la protezione dei dati personali) can be found at www.garanteprivacy.it;
- **right to obtain**, in the case of an automated decision-making process, information on the logic involved in the processing in question, and to request human intervention by the Data Controller; and to be able to express his or her opinion or contest the processing.

Any rectification or erasure of personal data or restriction of processing carried out upon request from the data subject - unless it proves impossible or involves disproportionate effort - shall be notified by the Data Controller to each recipient to whom the personal data have been disclosed. The Data Controller may inform the data subject about those recipients if the data subject requests it.

To exercise the above rights and to communicate, please contact Kruso Kapital S.p.A., Largo Augusto 1/A, angolo via Verziere 13 (tel. +39 02 80280600, fax. +39 02 72093979, e-mail: compliance&antiriciclaggio@prontopegno.it) and the DPO: privacy@krusokapital.com.