



**Information on the processing of personal data
carried out by notaries:
ERRANI GIULIO, MALAGUTI LUIGI
MARIN JACOPO, GIACOBBE MONICA**

Pursuant to art. 13 of EU Regulation no. 679/2016 GDPR and art. 131 Legislative Decree no. 196/2003
Code on the protection of personal data (so-called Privacy Law)
text edited by the National Council of Notaries

The notary is a public official who institutionally has a role of guarantee and impartiality; he has the task of giving public faith to the acts between private individuals and the information contained therein, so that anyone can rely on them. At the same time ensures the control of legality of the acts and a qualified legal assistance, aimed at ensuring that the acts stipulated realize as far as allowed the result desired by the parties.

Data collection

In order to perform its function, the notary must use certain data concerning you and any other interested parties. This is personal and/or patrimonial information that will be processed both electronically and manually. The information may be provided directly by you or by another interested party, or it may be collected from third parties, mostly in archives kept by public bodies, and more rarely by private ones.

Depending on the nature of the task, the notary will consult (or have consulted) the Land Registry, the Real Estate Registers, the Business Register, the Civil Status, the Registry Office and other similar Public Registers, obtaining the information needed for the correct execution of the task. The registers consulted may in some cases be abroad, for example when the notary is asked to receive a deed involving a foreign company.

This information, collected to the extent strictly necessary for the notary's function, for the assignment received and for the consequent accounting, fiscal and insurance obligations, will be kept at the office for the period established by the respective sector regulations (for example: notarial law for original deeds, civil code for advertising obligations, fiscal and tax regulations for invoicing and accounting data, anti-money laundering regulations for information relating to adequate verification); without this information the notary cannot carry out the assignment entrusted to him. The data concerning you are acquired from time to time as necessary for the purposes of individual acts or individual transactions, which remain associated in our files, both paper and computer. For some services we use subjects we trust, as data processors, who perform tasks



of a technical and/or organizational nature on our behalf. Their list is constantly updated and can be consulted easily and free of charge by asking the firm's staff.

Data communication

The Notary is in turn obliged to communicate certain data to public bodies: this takes place only in the cases provided for by the Law and strictly adhering to the methods provided for by the Law. The data transmitted will mostly update those public records from which most of the data concerning you and any other parties involved in the deed has been processed.

The transmissions take place mainly in telematic form through structured data, making use of the computer and telematic tools installed at the office; the Italian notaries have created a special reserved and protected telematic network, with national coverage, and an exclusive digital signature system, governed by its own Certification Authority, in order to guarantee citizens maximum security also in this area, Personal data will be communicated, for example, to the Inland Revenue Office, formerly the office of the President of the Italian Republic:

- to the Revenue Office formerly the Registry Office (Ministry of Economy and Finance) for the purpose of tax registration of the contract;
- to the Land Office, formerly the land registry office (Ministry of Economy and Finance) for the purpose of transcribing the contract and its transfer;
- to the Office of the Civil Status, for the formalities of competence (for example, the annotation in the margin of the marriage deed of the separation of property agreement);
- to the Register of Enterprises, for the incorporation of partnerships and corporations, amendments to statutes and agreements, transfers of shares and similar operations.

Furthermore, personal data may be communicated by the Firm and processed (Responsible Parties):

- By Companies and Credit Institutions, generally credit disbursing Entities, to Companies that manage online platforms where documentation related to financing operations is uploaded;
- By the consultants used by the notary office for the performance of its typical activities and for the obligations it is required to fulfill for accounting and tax purposes (including, for example, the accountant, the labor consultant, and others);
- By the software company used by the office for the execution of notarial activities.

The archives of individual Public Offices are accessible under specific methods regulated directly by law; these are mainly Public Registers that can be consulted by anyone. The notary, in his capacity as data controller, does not intend to



transfer personal data to a third country, unless requested by the parties or by law.

The personal data of clients of the notary office will also be collected and processed in structured form for compliance with anti-money laundering and anti-terrorism regulations (Legislative Decree 109/2007 and 231/2007, implementing provisions, additions, and modifications) and subsequent processing by the competent public authorities.

Clients are reminded that the public deed is *res publica*, which the notary is only obliged to safeguard. The notary is required to provide an authenticated copy to anyone with an interest in accordance with the combined provisions of Articles 1, 67, 68, and 69 of the notarial law and Article 743 of the Civil Procedure Code.

By virtue of this provision, the Notary cannot refuse to issue copies of the public deeds he has preserved to anyone who requests them.

Special categories of personal data

Pursuant to Articles 9 and 10 of the EU Regulation no. 2016/679, you may confer, to the notary for the execution of the assignment data qualifying as "special categories of personal data" and that is those data revealing "racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as genetic data, biometric data intended to uniquely identify a natural person, data concerning health or sex life or 'sexual orientation of the person or data relating to criminal convictions and offenses required by law. These categories of data may be processed only with your free and explicit consent, given in writing at the bottom of this information notice, or pursuant to Article 9, paragraph 2, letters f) and g) of EU Regulation No. 2016/679, without such information the notary will not be able to perform the task entrusted to him.

Existence of an automated decision-making process, including profiling

The Notary does not adopt any automated decision-making process, including profiling as referred to in Article 22(2) and (4) of EU Regulation No. 2016/679.

Incorrect or outdated data

You have the right to access your personal data at any time. Likewise, you may request the rectification or erasure of the same or the limitation of the processing concerning you or to object for legitimate reasons to their specific processing, in addition to the right to data portability and the right to withdraw consent at any time without affecting the lawfulness of the processing based on the consent given before the revocation and without prejudice to what is



specified below for the right to erasure, you also have the right to lodge a complaint with the supervisory authority identified by Italian law.

Right to cancellation (c.d. right to oblivion)

The notarial deed, as any other similar public document destined to public archives, must be preserved unaltered over time in its original content, therefore the personal data conferred for the professional assignment cannot be cancelled if they have been reported in registers or deeds kept according to the Notarial Law (L. 89/1913 and s.m.i.), since they have been acquired

- for the fulfilment of a legal obligation requiring the processing;
- in the exercise of public powers vested in the data controller;
- for archiving purposes in the public interest
- for the ascertainment, exercise or defence of a legal right.

For the same reason, any subsequent modification of the data contained therein shall not and cannot entail a modification of the act, but shall be documented in its own way. The transfer of residence, for example, will be communicated to the Registry but will not involve modification of the notarial act. In the same way, once the payment of a mortgage has been completed, the relevant deed will not be destroyed, nor will any annotation be made on it, but the extinction of the guarantee which assists the debt may be publicized at the Real Estate Registries following the procedures provided for by the Law.

If the notarial acts require, instead, to be corrected due to the objective inaccuracy of some of their elements, the correction can be performed only with a further notarial act.

As previously mentioned, the data controller of your personal data will be the notary who will draft the deed you requested, and therefore, depending on the case, one of the following: Dr. Jacopo Marin, Dr. Monica Giacobbe, Dr. Luigi Malaguti, Dr. Giulio Errani, all with offices in Bologna, Via Dante n. 6, to whom all requests can be addressed.

It is specified in this regard that Notaries Jacopo Marin, Luigi Malaguti, and Giulio Errani are associated with each other in the association named STUDIO NOTARILE ERRANI MALAGUTI MARIN, located in Bologna, Via Dante n. 6, VAT number 04005291200, and that there is a collaboration relationship between the association and Notary Monica Giacobbe, which includes the use of the same management software and the sharing of staff and collaborators, resulting in a theoretical possibility of mutual access to the databases and digital files of the executed deeds, as the deeds are preserved in a common historical digital archive and as the models of deeds used for the notarial activities carried out are common, all in order to make the services offered to clients of the notary



office more efficient and of higher quality (thanks to the synergies developed within the collaborative relationship).

Best regards.



STUDIO
NOTARILE