**HOW WE USE YOUR DATA**

**Information from the notary Raimondo Zagami's office**

**Art. 13 EU regulation no. 679/2016 and of the art. 13 [[1]](#footnote-1)legislative decree n. 196/2003**

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

**Data collection**

In order to carry out his 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 can be provided directly by you or by another interested party, or collected from third parties, mostly by turning to archives mainly held by public, and more rarely private, entities.

Depending on the nature of the assignment, the notary will therefore consult (or have consulted) the Cadastre, the Real Estate Registers, the Company Register, the Civil Status, the Registry and other similar Public Registers, obtaining the information necessary for the correct fulfillment of the assignment. The consulted registers may in some cases be located abroad, for example if the notary is required to receive a deed where a foreign company is involved.

This information, collected to the extent strictly necessary for the notarial function, the assignment received and the consequent accounting, tax and insurance obligations, will be kept at the firm for the period established by the respective sector regulations (for example: notarial law for original deeds , civil code for advertising obligations, fiscal and tax legislation for billing and accounting data, anti-money laundering legislation for information relating to due diligence); without this information the notary will not be able to carry out the task entrusted to him. The data concerning you are acquired from time to time to the extent necessary for the purposes of the single acts or single operations, to which they remain associated in our archives, both on paper and electronically. 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 study staff.

**Data communication**

The notary is in turn required to communicate certain data to public entities: this occurs only in the cases envisaged by law and strictly abiding by the procedures established by law. The data transmitted will mostly update those same public registers from which most of the data concerning you and any other parties interested in the deed were taken.

The transmissions take place mainly electronically through structured data, making use of the IT and telematic tools installed in the studio; Italian notaries have created a special private and protected telematic network, with national coverage, and an exclusive digital signature system, governed by their own Certification Authority, in order to guarantee citizens maximum security also in this area.

For example, personal data will be communicated data:

• to the Revenue Agency, formerly the registry office (Ministry of Economy and Finance) for the purpose of fiscal registration of the contract;

• to the Office of the Territory, formerly the land registry office and land register office (Ministry of Economy and Finance) for the purpose of transcription of the contract and its transfer;

• to the Civil Status Office, for the formalities of competence (for example the annotation in the margin of the marriage certificate of the separation agreement);

• to the Company Register, for the incorporation of partnerships and corporations, amendments to statutes and agreements, transfers of shares and similar operations.

The archives of the individual Public Offices are accessible with specific methods regulated directly by the Law; mainly these are Public Registers that can be consulted by anyone.

The notary, in his capacity as data controller, has/does not intend to transfer your personal data to a third country.

The personal data of the clients of the notary office will also be collected and processed also in a structured form for the fulfillment of the anti-money laundering and anti-terrorism legislation (legislative decree 109/2007 and legislative decree 231/2007, implementing rules, additions and amendments) and subsequent processing by the competent public entities.

**Special categories of personal data**

Pursuant to articles 9 and 10 of EU regulation no. 2016/679, you could give the notary for the execution of the assignment data that can be classified as *"particular categories of personal data"* and that is, those data that reveal *"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 relating to a natural person's health or sex life or sexual orientation” or personal data relating to criminal convictions and* offenses *required* for law. These categories of data may be processed only with your free and explicit consent, expressed in writing at the bottom of this information, or pursuant to art. 9, paragraph 2, letters f) and g) of EU regulation no. 2016/679, without this information the notary will not be able to carry out 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 the profiling pursuant to art. 22, paragraphs 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. In the same way, you can request the rectification or cancellation of the same or the limitation of the processing that concern you or to oppose their specific processing for legitimate reasons, in addition to the right to data portability and the withdrawal of consent at any time without prejudice to the lawfulness of the processing based on the consent given before the revocation and except as specified below for the right to cancellation, you also have the right to lodge a complaint with the supervisory authority identified by Italian law.

**Right to cancellation (so-called right to be forgotten)**

The notarial deed, like any other similar public document intended for public archives, must be kept unchanged over time in its original content; therefore , the personal data provided for the professional assignment cannot be canceled if they have been reported in registers or deeds kept according to the notarial law (law 89/1913 and subsequent amendments ), as acquired:

\* for the fulfillment of a legal obligation which requires the treatment;

\* in the exercise of public powers vested in the data controller;

\* for archiving purposes in the public interest;

\* for the assessment, exercise or defense of a right in court. "

For the same reason, any subsequent modification of the data contained therein must not and cannot lead to modification of the deed, but will be documented in its own manner. The transfer of residence, for example, will be communicated to the Registry but does not involve modification of the notarial deed. In the same way, once the payment of a mortgage loan is concluded, the relative deed will not be destroyed, nor will any annotation be made on it, but the extinction of the guarantee that assists the debt can be advertised in the Real Estate Registers following the procedures established by the law.

If, on the other hand, the notarial deeds require to be corrected due to the objective erroneousness of some of their elements, the correction can only be performed with a further notarial deed.

As anticipated, the Data Controller of your data is the notary Raimondo Zagami, with office in Rome, viale Tiziano 19 ( cap 00196), to whom you can address any request.

1. The reference is to the law currently in force pending the entry into force of the legislative decree harmonizing Legislative Decree no. 196/2003 with the GDPR [↑](#footnote-ref-1)