

## **Privacy Policy (Articles 12 to 22 of EU Privacy Regulation 679/2016 - GDPR)**

We inform you that personal data related to your organization and / or your personnel (hereinafter "Data") acquired and/or to be acquired by **CALPEDA S.p.A.** as "Data Controller" (hereinafter the "**Company**" or "**Calpeda**") at the Data Subject or through third parties such as public databases, business register, internet, other companies, will be processed in compliance with the legal requirements and in respect of your rights (as "Data Subject").

### **A. METHODS OF PROCESSING.**

The processing may include the following **operations**: collection (by telephone, computerized, written or verbal, registration, organization, storage and processing on paper, magnetic, automated or telematic media, processing of data collected by third parties, modification, selection, extraction, comparison, use, interconnection also to data of other subjects on the basis of qualitative, quantitative and temporal criteria, recurring or definable from time to time, temporary treatment aimed at a quick aggregation or transformation of the data, adoption in discretionary form (never fully automated) of decisions, creation of profiles and information, communication, cancellation and destruction of data, or combinations of two or more of the aforementioned transactions.

The collection also takes place in public registers, lists of deeds and documents and / or public and / or private databases - commercial information companies, business registers - or on the websites of public and / or private bodies, and in this case it is in relation only identifying data, contacting data, tax data, data on creditworthiness and data on the economic-asset and financial situation of the Data Subject or internal contacts of the client or the supplier (such as directors, special agents, institutors, employees, etc.), related to the Data Subject's business activity.

The Data Controller has also appointed one or more authorized internal processors, who belong to the corporate functional areas that need to process the Data for the purposes indicated in this statement, such as our purchasing office, ICT office, administration office, logistics-warehouse office, etc.

The treatment is supervised by adequate technical and organizational security measures, such as, inter alia, electronic archives with authentication credentials, access restricted to authorized and periodically updated profiles, firewalls, antivirus, antispam, back-up systems and data recovery in case of accidents, computer maintenance services.

### **B. PURPOSE AND LEGAL BASIS OF PROCESSING.**

The purposes of the processing are:

- 1) obey **pre-contractual requirements** (e.g., the instruction of our offers or orders, the evasion of your requests, including the sending of informative materials, price lists, etc.) and fulfillment of **contractual obligations** (supply or purchase of goods and / or services, i.e. including the management of delivery obligations and logistics and transport functional to it); **legal basis** of such processing is the fulfillment of a contract of which the Data Subject is a party or to the execution of pre-contractual measures taken at the request of the Data Subject.
- 2) fulfillment of **legal obligations** (eg accounting, tax formalities, administrative and accounting management, etc.); the **legal basis** of such processing is the fulfillment of a legal obligation to which the Data Controller is subject;
- 3) **management of customers and/or suppliers** for aspects other than those sub 1-2, particularly internal organization of activities functional to the active and passive supply of products and / or services, eg: solvency checks, credit management and risk control - fraud, insolvency, etc. - management of litigation and assignment of credits, management of financial and insurance services for the management of suppliers and management of electronic payment instruments, management of production, management of telephone directories, processing of statistics; **legal basis** of such processing is the legitimate interest of the Data Controller to be able to process the data in order to manage efficiently the relationship with its customers and / or suppliers and to manage the related internal and external organizational processes.

### **C. COMMUNICATION OF DATA.**

Without prejudice to the communication to third parties made in fulfillment of legal obligations or deriving from regulations or other community legislation, or at the request of judicial offices or other third parties to which the power is recognized by the aforementioned provisions, the Data may be communicated by us to the following categories of third parties:

- 1) banks and credit institutions, for the management of payments;
- 2) insurance companies;
- 3) debt collection companies, factoring companies, leasing companies, insurance companies or credit transfer companies, credit consortia (only for the purposes of credit protection and the best management of our rights relating to the individual business relationship);
- 4) business information company;
- 5) consultants;
- 6) professionals and professional firms (lawyers, chartered accountants, auditors, etc.);
- 7) auditors;
- 8) members of the supervisory body referred to in Legislative Decree No. 231/2001 (if any);
- 9) subjects that provide maintenance services and / or computer assistance in relation to our systems and databases and IT services;
- 10) shippers, carriers and couriers;
- 11) other suppliers and subcontractors (in the case of customer or supplier data), or customers (in the case of supplier or sub-supplier data);
- 12) other companies, bodies and / or natural persons who carry out activities that are instrumental, supportive or functional to the execution of contracts or services requested by S.V. and / or the development of the business of the Data Controller (for example web marketing company, advertising agency);
- 13) other Group companies;
- 14) public bodies and / or other subjects to whom the communication is necessary for the fulfillment of legal obligations.

The Data controller has appointed as Data Processor all the categories of third parties to whom the Data Controller communicates Data, except in the case in which they assume the role of independent Data Controller according to the legislation in force or on the basis of the high degree of freedom they have in relation to the processing.

### **D. OBLIGATION OR OPTIONAL NATURE OF DATA COMMUNICATION AND CONSEQUENCES OF NON-COMMUNICATION.**

For the direct processing of the purposes referred to in the aforesaid letter B) points 1 to 3 the communication of data is a necessary requirement for the entering into the contract. Such communication is not an obligation on the Data Subject, but the failure to communicate implies the impossibility of the Data Controller to enter into and/or to fulfill the contract it and/or to process the pre-contractual requests, if any, of the Data Subject; in this case, the consent of the Data Subject is not necessary for the processing of the Data.

### **E. TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS.**

The Data Controller transfers the personal data to the following third country (s) or to the following international organization (s):

- USA: to the third party vendor **Microsoft Corporation** with registered offices at 1 Microsoft Way, Redmond, WA (Washington) 98052, USA. The privacy policy of Microsoft Corporation can be viewed at: <https://privacy.microsoft.com/it-it/privacystatement>.

In relation to this transfer, we have applied to it appropriate guarantees consisting in the signing of written agreements by which the recipient of personal data based in the foreign country, in relation to the processing of its competence, undertakes in our comparisons, for themselves and their employees, to the respect of privacy obligations substantially equivalent to those provided for by the community legislation charged to the Data Controller.

## **F. DATA RETENTION POLICY.**

The Data will normally be processed for the entire duration of the contractual relationships established with the Data Subject, and, thereafter, only for the duration necessary to fulfill the legal obligations to which the Data Controller is subject (10 years from the termination and / or regular fulfillment of the contractual relationship with the Data Subject or the organization to which it belongs).

To the extent that the Data is processed for IT security purposes (e.g. registration of logs related to transactions or choices made online on our website, the storage will take place for sufficient time to allow security checks and document the results (normally 1 year from collection). In the event of litigation with the Data Subject and / or third parties, the data will be processed for as long as strictly necessary to exercise the protection of the rights of the Data Controller.

## **G. RIGHTS.**

Regarding the processing of personal data, You may exercise the following rights listed below, by contacting our company without any formalities at the above email address:

1) ask our Company to confirm that it is or is not undergoing the processing of personal data concerning it and, in this case, obtaining access to personal data and the following information:

- a) the purposes of the processing;
- b) the categories of personal data in question;
- c) the recipients or categories of recipients to whom the personal data have been or will be communicated, in particular if recipients of third countries or international organizations;
- (d) where possible, the retention period of the personal data provided or, if not possible, the criteria used to determine this period;

e) the existence of the right of the Data Subject to ask our Company the rectification or cancellation of personal data or the limitation of the processing of personal data concerning him or to object to their treatment;

f) the right to lodge a complaint with a supervisory authority; if the data are not collected from the Data Subject, right to obtain all information available on their origin;

g) the existence of an automated decision-making process, including profiling and, at least in such cases, significant information on the logic used, as well as the importance and expected consequences of such processing for the Data Subject

2) if the personal data are transferred to a third country or to an international organization, the Data Subject has the right to be informed of the existence of adequate guarantees related to the transfer;

3) request, and obtain, without undue delay, the correction of inaccurate data; taking into account the purposes of the processing, the integration of incomplete personal data, also by providing an additional declaration;

4) request deletion of data if:

a) personal data are no longer necessary with respect to the purposes for which they were collected or otherwise processed;

b) the Data Subject revokes the consent on which the treatment is based and there is no other legal basis for the treatment;

c) the Data Subject opposes the processing, if there is no legitimate overriding reason to proceed with the processing, or opposes the processing performed for direct marketing purposes (including the functional profiling of such direct marketing);

d) personal data have been processed unlawfully;

e) personal data must be deleted in order to fulfill a legal obligation provided for by the law of the Union or of the Member State to which our Company is subject;

f) personal data have been collected regarding the offer of information society services from our Company database;

5) request the limitation of the treatment that concerns You, when one of the following hypotheses occurs:

- a) the Data Subject disputes the accuracy of personal data; in this case the limitation of the treatment (i.e. the suspension of the same) may take place for the period necessary to our Company to verify the accuracy of such personal data;
- b) the processing is unlawful (for example because the prior information of the law has not been provided to the Data Subject) and the Data Subject opposes the deletion of personal data (that is, he/she prefers to be stored in our paper and / or computer files ) and instead asks that its use be limited as above;
- c) although our Company no longer needs it for the purposes of processing, personal data are necessary for the person concerned to ascertain, exercise or defend a right in court;
- 6) get from our Company, upon request, the communication of the third recipients to whom the personal data have been transmitted;
- 7) revoke at any time the consent to the treatment where previously communicated for one or more specific purposes of their personal data, being understood that this will not affect the lawfulness of the treatment based on the consent given prior to the revocation.
- 8) "portability", that is to say, receive in a structured format, in common use and readable by automatic device, personal data concerning the Data Subject supplied by him to our company and, if technically feasible, to transmit such data directly to another Data Controller without impediment on our part, if the following (cumulative) condition occurs:
  - a) the processing is based on the consent of the Data Subject for one or more specific purposes, or on a contract of which the Data Subject is a party and whose processing is necessary; and
  - b) the processing is carried out by automated means (software).The exercise of the portability right implies the right to cancellation specified above;
- 9) not be subjected to a decision based solely on automated processing, including profiling, which produces legal effects affecting him or which significantly affects his person. For clarification we specify that we do not operate any automated treatment of the aforementioned type;
- 10) propose a complaint to the competent Supervisory Authority based on the GDPR (Privacy Guarantor) or the ordinary Court.

#### **H. THE DATA CONTROLLER.**

Data Controller of personal data of the Interest Subject(s) is **CALPEDA S.p.A** based in Montorso Vicentino (VI), Via Roggia di Mezzo, 39 – Italy.

To obtain a list of Data Processors and / or for any further information, it is possible to consult our website (<https://www.calpeda.it/privacy>) and make any request to the email address **privacy@calpeda.it**.