

## **GDPR information on the processing of personal data of CUSTOMERS AND SUPPLIERS**

This information is provided to data subjects who are CUSTOMERS and SUPPLIERS of MIRCO VISCONTI SPA, whether natural persons or natural persons operating in the name and on behalf of CUSTOMERS or SUPPLIERS who are legal persons, in accordance with article 13 of EU Reg. 2016/679 “European regulation on the protection of personal data” (also known as GDPR).

By this document we wish to inform you that to establish and execute the obligations deriving from the contractual and commercial relationship with you in progress/being stipulated, our organization has/will come into possession of data relating to you, directly acquired, including orally, or through third parties, qualified as “personal data” for the purposes of current legislation on “privacy”.

<b>DATA CONTROLLER</b>	The Data Controller is <b>MIRCO VISCONTI SPA</b> (Tax ID / VAT No. 01234100061) with registered office in Viale Santuario 3 -15048 Valenza (AL) Tel. +39 0131.941024 - Fax +39 0131.954475 Any information and/or clarifications regarding the processing of personal data may be requested by sending an email to <a href="mailto:visconti@mircovisconti.com">visconti@mircovisconti.com</a> or by certified e-mail to <a href="mailto:pec@pec.mircovisconti.com">pec@pec.mircovisconti.com</a> or by writing a regular e-mail to the above address.
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### **Types of personal data processed:**

The data collected and processed may concern not only company data (e.g. company name, postal addresses and e-mail, VAT number, tax ID, etc.) but also personal information and contact details of the contacts who interact with us. Other information may include financial, banking and payment details, as well as electronic billing details.

It should be noted that we are not in possession of any of your personal data that can be qualified as criminal records (in accordance with article 10 of the GDPR), nor of any other information that could be qualified as belonging to particular categories of personal data (in accordance with article 9 of the GDPR).

### **Purposes and legal basis of processing**

The data provided is processed for the following purposes in accordance with the legal basis specified below:

PURPOSE <i>(Why we process your data)</i>	LEGAL BASIS - LAWFULNESS	CONSEQUENCES IN CASE OF REFUSAL TO PROCESS AND ANY CONSENT
Execution of the contractual relationship and/or of the commercial relationship (and/or pre-contractual agreements aimed at establishing it) and resulting internal organization (management of requests for information, negotiations, estimates, orders, invoices, shipments for the delivery of the goods/products, assistance, insurance, repairs, replacements, and cases in which the warranty applies)	Article 6, paragraph 1, point b) of the GDPR  Contractual/commercial relationship to which the data subject is a part	Consent is not required. The provision of data is optional, but in case of refusal it will not be possible to conduct the contractual/commercial relationship and carry out what was agreed.
Fulfilment of administrative, accounting, tax, and anti-money laundering obligations to manage the existing contractual-trade relationship with suppliers and customers	Article 6, paragraph 1, Letter c) of GDPR  Legal obligation	
Reliability and credit rating check; Internal organizational management (certifications,...). Dispute management, communications of internal information material, corporate initiatives, and commercial offers (news, promotions) in relation to products or services similar to those purchased.	Article 6, paragraph 1, Letter f) of the GDPR  Legitimate interest	Consent is not required as the possible processing is referred to the pursuit of a legitimate interest aiming at, by way of example: <ul style="list-style-type: none"> <li>- Administrative management control, fraud prevention, warehousing, production and shipment requirements</li> <li>- Defending a right in administrative and legal proceedings.</li> </ul>

		<p>The use of e-mail addresses is permitted pursuant to and within the limits of art. 130, paragraph 4 of Legislative Decree 196/03 (and further amendments thereof) and by the provisions of the Data Protection Authority of 19 June 2008 (Official Gazette no. 152 of 1 July 2008). The data subject has the option of opposing this processing at any time, initially or in case of subsequent communications, easily and free of charge, by writing directly to the postal address of the sender or to the references indicated by the Data Controller.</p>
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## **Processing methods, technical and organizational security measures**

Data processing for the purposes detailed above takes place both manually (on paper) and with the help of computerized/electronic tools, by adopting appropriate security measures to prevent data loss, illicit uses, or misuse and unauthorized access in order to guarantee the security, confidentiality and protection of data.

Furthermore, processing does include the use of automated decision-making processes and the data processed will not be used for profiling purposes.

## **Data transfer**

The Data Controller will not transfer personal data to third countries (outside the European Union) or to international organisations.

Data are processed and stored in paper, digital and telematic archives at our headquarters, except as regards the digital storage of electronic invoices in accordance with the law which is entrusted to an external supplier with AgID accreditation whose service, in the cloud, resides in any case on the national territory.

If necessary, the Data Controller ensures from now on that the transfer of data outside the EU will take place in compliance with the applicable provisions of law.

## **Duration of treatment and retention period**

Data will be processed and stored only for the time required to conduct the purposes indicated above in compliance with the obligations of law to which we are subject. In particular, they will be kept for the entire duration of the commercial relationship and for a subsequent period of 10 years, in compliance with the regulations in force regarding conservation, unless further terms are set, to allow us to defend our rights.

## **Data Access and Data Communication**

Personal data processed by the Data Controller will not be disclosed nor they will be disclosed to unidentified recipients, in any possible form, including that of making them available or for simple consultation.

Instead, they may be communicated to third parties outside the organisation (outsourcers) who collaborate with the us and we will evaluate from time to time, to ensure greater protection, whether to designate data processors pursuant to art. 28 of the GDPR. Such third parties outside the organisation, will provide their services under our control and direction and may have access to personal data to the extent necessary to render their services. By way of example, the categories of recipients may include credit institutions, agents, insurance companies, professionals and consultants.

More generally, while carrying out ordinary business activities, data may be communicated to subjects who carry out control, review and certification activities of the activities carried out by the Data Controller, consultants and freelancers for tax and legal assistance services and in case of corporate transactions for which it is necessary to evaluate the corporate assets.

The data subject's personal data will be mainly disclosed to third parties and/or recipients whose activity is necessary for the performance of the activities relating to the commercial relationship established and to comply with certain obligations of law. They may be communicated to public bodies and administrations, as well as to subjects the law has authorised to receive such information, which can be Italian and foreign judicial authorities and other public authorities, for purposes related to the fulfilment of obligations of law, or for the fulfilment of the obligations undertaken and arising from the contractual relationship, including defence in court.

Finally, contact data could be communicated for occasional needs, to customers and/or suppliers of the Data Controller, e.g. if they need to collaborate with these subjects for the purpose of providing the services/supply of the products.

Furthermore, on the basis of the organizational structure of MIRCO VISCONTI SPA, some workers and collaborators are entitled to process personal data, within the limits of their roles and in accordance with the authorisation/instructions received.

The updated list of subjects involved in the management of personal data is available, subject to a legitimate and justified request, at the administrative headquarters of the Data Controller.

**Rights of the data subject (articles 15-21 of the GDPR):**

The European Regulation recognises natural persons as interested parties, the following rights that can be exercised with the Data Controller.

**Right to access:** the data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data.

**Right to rectification:** the data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Considering the purposes of the processing, the data subject has the right to obtain the integration of the incomplete personal data, even by providing a supplementary declaration.

**Right to be forgotten:** the data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay where one of the grounds provided by the regulation apply.

**Right to restriction of processing:** the data subject shall have the right to obtain from the controller restriction of processing where one of the grounds provided by the regulation apply.

**Right to object:** the data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling on the basis of these provisions or object to the processing of direct marketing purposes (if any).

**Right to data portability:** the data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit such data to another controller without hindrance from the controller to which the personal data have been provided according to the conditions set by the regulation.

- **Right to withdraw consent:** Art. 7 of the European Regulation allows the data subject to revoke the consent given at any time, for any purpose for which it was agreed (Article 6 paragraph a of the GDPR). The withdrawal of consent does not affect the lawfulness of the processing based on the consent before the revocation.

**However, the processing subject-matter of this information is legal and allowed, even in the absence of consent, as it is necessary for the execution of a contract/commercial relationship of which the customer is a part (the relationship of supply of products and services between Mirco Visconti S.p.a. and the SUPPLIER/CUSTOMER).**

To exercise these rights, the data subject can contact the Data Controller Mirco Visconti Spa by sending a specific communication to [visconti@mircovisconti.com](mailto:visconti@mircovisconti.com) or by writing to the contact addresses listed in the dedicated section in the header of this document, including the appropriate information (name, surname, any company to which the data subject belongs and on behalf of which it acts and the right it intends to exercise) in order to be able to correctly manage the requests that will be received.

- **Right to lodge a complaint:** if the data subject believes that the processing concerning him or her breaches EU Regulation, article 77 of such regulation gives the [right to lodge a complaint with a supervisory authority](#), in the Member State where the data subject is habitually residing, works or the place where the alleged breach occurred. More specifically is worth mentioning the institutional website of the Data Protection Authority for the protection of personal data [www.garanteprivacy.it](http://www.garanteprivacy.it) in which the related operating methods are indicated with reference to the national supervisory authority.

Valenza (AL), on 08 March 2021

The Data Controller

MIRCO VISCONTI S.p.a.