

## INFORMATION AND REQUEST FOR CONSENT ON THE PROCESSING OF PERSONAL DATA

*Pursuant to Articles 6 and 13 of the EU Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.*

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The information hereby provided describes the processing operations performed on your personal data in compliance with the above-mentioned regulation (GDPR) and based on principles of fairness, lawfulness, transparency, protecting your privacy and rights.

**1. IDENTITY and CONTACT DATA of the DATA CONTROLLER:** the data controller is **EMME ESSE S.p.A.**, with registered office in via Moretto, 46 – Manerbio (BS) - C.F.: 00294210174 e P.IVA: 00551360985 e-mail: [privacy@emmeesse.it](mailto:privacy@emmeesse.it)

**2. CATEGORIES OF PERSONAL DATA:** personal data of natural persons processed by **EMME ESSE S.p.A.** are solely those not belonging to “special categories” (see art. 9 GDPR) such as registry, telephone and e-mail contact, bank details. If the person providing personal data is under the age of 14, the consent must be given or authorized by the holder of parental responsibility in relation to which the identification data and the copy of the identification documents are acquired.

**3. PURPOSES and LEGAL BASIS FOR THE PROCESSING.** Your personal data are processed for the following purposes:

- a) operational, technical and commercial management of the contractual relationship; the management and execution of contracts stipulated with the interested party, including the services necessary to ensure supplies, assistance and any post-sale guarantees;
- b) the fulfilment of the administrative, accounting, statutory and tax obligations relating to the interested party;
- c) the fulfilment of specific requests of the interested party;
- d) newsletters and possible direct and indirect promotion activities;
- e) the possibility of being included among the references and the case histories on the website and on the social networks of **EMME ESSE S.p.A.**
- f) the possibility of being filmed and photographed at fairs, meetings, events, etc. at the stand or at the **EMME ESSE S.p.A.** offices, with videos and photos that can be published on its own websites and social network accounts.

The processing referred to in letters a), b) and c) is necessary to perform the specific request of the interested party, whereas the processing referred to in letters d), e) and f) requires the explicit consent of the interested party. In the specific case of the newsletter, every communication sent will always specify the methods of un-subscription; the so-called soft-spam activities on direct and indirect customers do not fall under the obligation of consent.

**4. DATA SOURCE:** personal data of the interested party are collected at **EMME ESSE S.p.A.** headquarters, or at trade fairs, events, conventions or meetings and at the premises of the interested party. Employees of **EMME ESSE S.p.A.** collect personal data through specific collection forms available on the website, always for the functional performance of the company's own activities, as specified in the previous point 3. For the fulfilment of the warranty conditions of the products, **EMME ESSE S.p.A.** provides the sending of data by the final user for the registration of the conditions of supply and verification of the sale dates.

**5. PROCESSING METHODS:** the processing can be performed with manual and automated systems designed to store, manage and transmit the data, through logics strictly related to the purposes themselves, on the basis of the data communicated by the interested party and with the commitment of promptly notify the data controller of any corrections, additions and updates. Personal data will be managed and protected in environments and on devices whose access is constantly under the control of the data controller; in particular the information systems and computer programs used by **EMME ESSE S.p.A.** are configured in such a way as to limit the processing of personal data to the strictest (always within the aforementioned purposes). **EMME ESSE S.p.A.** stores the data in such a way as to minimize the risk of destruction and/or loss of data, unauthorized access or of processing not allowed or not in compliance with the purpose.

**6. DATA STORAGE:** personal data collected and processed will be stored for a period of time not exceeding the achievement of the purposes for which they are processed (“storage limitation principle”, art.5 GDPR). For the purposes indicated in letters a), b), c), d) of point 3, the retention period is that necessary for the fulfilment of the contractual obligations and, in any case, not more than 10 years, for the fulfilment of regulatory obligations and, in any case, not beyond the deadlines set by law for the prescription of rights. For the purposes referred to in letters e) and f) of point 3, the retention period is 36 months from the time of issue or updates of consent to processing.

**7. PERSONAL DATA RECIPIENTS:** within the scope of the indicated purposes, the data of the interested party may be communicated:

- a) to data processing centres, service companies, including electronic data processing and consulting services, external to the organization of **EMME ESSE S.p.A.**, although always related for operational purposes;
- b) to credit and financial companies, to subjects in charge of the management of correspondence;
- c) to tax consultants, labour consultants, legal advisors, other persons appointed by **EMME ESSE S.p.A.** for the performance of the practices for which they are responsible or appointed for the recovery of credits;
- d) to public and private bodies, also as a result of inspections or verifications or for the fulfilment of obligations deriving from the Law or by mandatory Regulations, by Community Regulations or by secondary legislation (Financial

- Administration, Tax Police, Judicial Authorities, Inspectorate of Labour, ATS, Social Security Agencies, Chambers of Commerce, etc.); to subjects who can access your data under the provisions of law or secondary or community legislation;
- e) to collaborators, professionals and companies outside **EMME ESSE S.p.A.**, who deal with the supply of specific goods and services and the assistance service.

The scope of data communication is functionally and strictly related to what is necessary for the refining of the services, including the management of the product warranty within the terms of the contract. The subjects belonging to the indicated categories could act as Data Processors or operate in a fully autonomous way as Independent data processing controllers. The list of designated Data Processors and Data Processing Controllers is constantly updated and available at **EMME ESSE S.p.A.** Interested parties may request this list by contacting the Data Controller through the channels indicated at point 1 of this information.

**8. COMMUNICATION and DISCLOSURE:** personal data will not be disclosed except for the web and social part (see art. 3).

**9. PROVISION OF DATA:** the consent of the interested party of its personal data towards **EMME ESSE S.p.A.** is not necessary if there is a contract between the parties or to carry out pre-contractual measures taken at the request of the party concerned: pursuant to art. 6 paragraph 1 letter b) such data will be processed without any need for consent, in the case of data functional to these obligations, as indicated in point 3) letters a), b) and c). Instead, for any other purposes referred to in point 3, letters d), e) and f) it is possible to express consent freely, according to the CON-CF(ENG) model of the following page. In case of refusal of the interested party to provide the data or to give consent to processing, it may be impossible to carry out the activities themselves.

**10. DATA TRANSFER:** the provided personal data will not be transferred outside the European Union.

**11. REFERENCES:** we inform you that, for any clarification on these matters, you may contact **EMME ESSE S.p.A.**, even in case of uncertainty about the nature of a data and the behaviour to be taken for its processing, referring to Mrs. Caterina Saldi.

The details of the company are shown in point 1 of this information, whereas the documents relating to privacy are available and downloadable on the website <https://nuovoregolamentoprivacy.com/emmeesse/>

**12. RIGHTS OF THE INTERESTED PARTY:** the interested party may, at any time, exercise the rights listed below:

- a) access to personal data: obtain confirmation or not that processing of personal data concerning him / her is in progress and if so, access to the following information: purposes, categories of data, recipients, retention period, right to lodge a complaint with a supervisory authority, right to request rectification or erasure or restriction of processing or object to the processing itself;
- b) request for rectification or erasure of the personal data or restriction of the processing that affects him/her; restriction means the marking of stored data aiming at limiting its processing in the future;
- c) objection to the processing: object, in whole or in part to the processing, for reasons connected to subject's situations concerning him / her, even if pertinent to the purpose of the collection;
- d) data portability: in the case of automated processing carried out on the basis of consent or in execution of a contract, receive the data concerning him/her in a structured format, commonly used and readable by automatic device;
- e) withdrawal of consent to processing for the purposes referred to in points d), e) and f) of point 3; the exercise of this right does not prejudice in any way the lawfulness of the processing carried out before the withdrawal;
- f) claim to the competent supervisory authority (which may be contacted via the contact details indicated on the website [www.garanteprivacy.it](http://www.garanteprivacy.it)).

The aforementioned rights may be exercised by sending an appropriate request to **EMME ESSE S.p.A.** through the contact channels indicated in the art. 1 of this information, also through the appropriate forms provided on the company's website at the link indicated above in point 11. Requests relating to the exercise of user's rights will be processed immediately and, in any case, within one month from the application date.


**13. CHANGES TO THIS INFORMATION:** this information may change. It is therefore advisable to regularly check this information and refer to the most up-to-date version.

Manerbio, 22/11/2018

**EMME ESSE S.p.A.**

Legal representative

Mr. Mario Saldi



To express consent, in those cases not included in the art. 6 paragraph 1) letter b), please send an e-mail to **EMME ESSE S.p.A.** at [privacy@emmeesse.it](mailto:privacy@emmeesse.it) or by fax at +39 030 9380592

## CONSENT OF THE INDIVIDUAL TO PROCESSING OF PERSONAL DATA

<b>Fully informed pursuant to art. 13 of Regulation 2016/679/EU, according to the model INF-CF(ENG) supplied, the undersigned:</b>
Name and Surname: .....
Representing: .....
Address: .....
<b>Pursuant to art. 7 of the same Regulation, within the limits identified in the INF-CF(ENG) model received by EMME ESSE S.p.A., I opt for the following preferences, in a specific form, freely and in writing, signing below for acceptance:</b>

### CONSENT

<b>NEWSLETTER and PROMOTIONS:</b> About the processing of data according to point d) of art. 3 of this information, as explained in art. 3:	
<input type="checkbox"/> I express consent	<input type="checkbox"/> I deny consent
I wish to receive information and newsletter at the following e-mail address: .....@.....	

<b>WEB SITE REFERENCES:</b> About the processing of data according to point e) of this information, as explained in art. 3:	
<input type="checkbox"/> I express consent	<input type="checkbox"/> I deny consent

<b>VIDEO AND AUDIO RECORDING:</b> About the processing of data according to point f) of this information, as explained in art. 3:	
<input type="checkbox"/> I express consent	<input type="checkbox"/> I deny consent

I reaffirm my commitment to promptly inform you about possible rectifications, changes and/or integrations of the data in your possession.

Place and date..... Signature.....