



DPMS

Data Protection Management System

Doc. **INF-DPMS.02** Rev. **00** of the **20/01/2023**

Classification: **L1 – PUBBLICO**

CUSTOMER PRIVACY POLICY

Surrender pursuant to Articles. 12, 13 and 14 of Regulation (EU) 2016/679

MSA Dampers.r.l.

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1 RECIPIENTS OF THE DOCUMENT

This document is addressed to our customers or potential and to all natural persons who for any reason provide their personal data to our organization operating in the name or on behalf of our customers or potential.

2 PREMISE

In compliance with the indications provided for in Regulation (EU) 2016/679 (hereinafter, "**Regulation**" or "**GDPR**") regarding the processing and free movement of personal data, you have the right to know all information regarding the processing of your personal data in a clear and transparent manner. Therefore, in accordance with this principle, we hereby inform you about the processing of your personal data.

3 DEFINITIONS

The definitions of the terms used in this document are to be understood as per art. 4 of EU [Regulation 2016/679](#).

4 OWNER OF THE PROCESSING OF PERSONAL DATA AND EMPLOYMENT RELATIONSHIP

MSA Dampers.r.l. (hereinafter simply MSA Damper) is Owner of the processing of personal data pursuant to the Regulation. The following is contact information:



MSA Dampers.r.l.

Operational headquarters: Via Learco Guerra, 18 - 14100 Asti (AT)
C.F./ P.IVA IT 11010890967 - Cod. REA: AT – 134990
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email: info@msadamper.com

4.1 DATA PROTECTION OFFICER - DPO

MSA Damper is not required to appoint the DPO pursuant to art. 37 of the GDPR.

4.2 DATA PROTECTION COORDINATOR

MSA Damper, also pursuant to art. 2-quaterdecies of Legislative Decree. 196/2003 (so-called "Privacy Code)", has appointed a Company **Data Protection Coordinator** with the task of supervising the compliance of processing with the GDPR. The

Data Protection Coordinator is at your disposal for any clarification or information regarding the processing of your personal data and to facilitate the possible exercise of the rights that are recognized by the Regulation.

You can contact the Data Protection Coordinator at the following e-mail address: dataprotection@msadamper.com

5 OUR COMPANY POLICY ON THE PROCESSING OF PERSONAL DATA

MSA Damper, has always been very attentive to the security of the information managed, with particular regard to information that may contain personal data (pursuant to Article 4.1 GDPR) or special categories of personal data (pursuant to Article 9 GDPR). For this reason, the company has decided to adopt a single organizational model, called **Data Protection Management System** (hereinafter "**DPMS**" or "**System**"), also based on the guidelines of the ISO 27001 standards. Taking into account the context of our organization, the supply chain needs and the expectations of the interested parties, the System establishes the Leadership and commitment of the Data Controller, through the definition of organizational roles, internal and external responsibilities and the authority of the subjects involved. Within the DPMS, security objectives were identified and the actions necessary to achieve them were planned. The resources and skills necessary for a constant and continuous improvement of the System over time are also guaranteed, periodically verifying its field of application and alignment with company purposes.

6 PURPOSE OF THE PROCESSING

Personal data relating to your person, such as name, surname, address, telephone, fax, e-mail, company role, as well as other information voluntarily provided by you or your organization to our Company or deduced by virtue of the existing relationship, (hereinafter, the "Data") **MSA Damper** will be processed exclusively for the following purposes:

ID	Description of the purposes, bases of lawfulness, origin of the data and duration of processing
F1	<p>Purpose: <i>To implement contractual and/or pre-contractual measures aimed at the supply of goods or services by MSA Damper the organization. This includes handling requests for quotations, orders, any complaints, warranties, payments and refunds.</i></p> <p>Lawfulness: These treatments are carried out pursuant to art. 6 par. 1 letter b) of the GDPR.</p> <p>Origin of data: The data, generally contact information associated with your other business information, may be provided directly by you or communicated by your organization, derived from the existing relationship or may come from public lists or collected from third parties who have reported you.</p> <p>Duration of processing: The processing will cease at the end of the contractual relationship.</p> <p>Further storage: If deemed appropriate and lawful, at the end of the processing period, your personal data may be anonymized (see purpose F8) or further stored for civil or judicial reasons (see purpose F5).</p>
F2	<p>Purpose: <i>To comply with legal obligations, regulations deriving from community legislation, or deriving from instructions given by public authorities or supervisory bodies. For example, your personal data may be used to manage billing, comply with our accounting, tax obligations, protect health and safety in the workplace (if our employees carry out their work at your plant), fulfill any reporting obligations.</i></p> <p>Lawfulness: These treatments are carried out pursuant to art. 6 par. 1 letter c) of the GDPR</p> <p>Origin of data: The data, generally contact information associated with your other business information, may be provided directly by you or communicated by your organization, derived from the existing relationship, or may come from public lists or collected from third parties who have reported you.</p> <p>Duration of processing: The processing will cease when the legal obligation expires.</p> <p>Further storage: Compatibly with the retention period imposed by law, if deemed necessary and lawful, your data may be further stored for civil or judicial reasons (see purpose F5).</p>
F3	<p>Purpose: <i>To manage, take care of, consolidate over time the commercial relationship with the Customer (so-called "loyalty"), plan commercial, financial and market strategies, define budgets, optimize operational strategies and plan business objectives</i></p> <p>Lawfulness: These treatments are carried out pursuant to art. 6 par. 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller.</p> <p>Data Source: The data are generally those collected for the purposes F1 and F2 and possibly integrated by us through the provision of additional information by you or by your organization or otherwise obtained during the existing relationship.</p> <p>Duration of processing: Without prejudice to the exercise of the right of opposition, the processing will last until the interest pursued by the Data Controller is reached. Normally 10 years from the last business relationship.</p> <p>Further storage: If deemed appropriate and lawful, at the end of the processing, your personal data may be anonymized (see purpose F8) or further stored for civil or judicial reasons (see purpose F5).</p>
F4	<p>Purpose: <i>To achieve, maintain and demonstrate certifications or accreditations, comply with regulatory standards (e.g. ISO 9001, ISO 14001, ISO 45001, ISO 27001, etc.), apply specific codes of ethics, conduct or ethics (e.g. Code of Business Ethics).</i></p> <p>Lawfulness: These treatments are carried out pursuant to art. 6 par. 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller.</p> <p>Origin of data: The data processed are generally collected for the purposes F1, F2 and F3. However, further data may be collected by us or by you and/or your organisation provided during the existing relationship.</p> <p>Duration of processing: Without prejudice to the exercise of your right to object, the processing will last for the entire duration of the business relationship or until the legitimate interest pursued by the Data Controller is reached.</p> <p>Further storage: If deemed appropriate and lawful, at the end of the processing, your personal data may be further anonymized (see purpose F8) or stored for civil or judicial reasons (see purpose F5).</p>

Purpose: To take protective actions to protect the interests of the Company or those of third parties such as, for example, to defend in court and / or assert rights.

Lawfulness: These treatments are carried out pursuant to art. 6 par. 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller.

F5 Origin of data : The data subject to storage processing are transferred or collected for all the purposes stated in this document.

Duration of processing: Until the purposes of protection are achieved.

Storage: We will keep your personal data for the limitation period provided for by the legislation for the protection of related rights, without prejudice in any case to longer retention periods provided for by specific sector regulations. In particular, the data will be processed and / or stored for a period of **10 (ten) years** from the closure of the contract, from the end of the relationship or from the achievement of the collection purposes.

Purpose: To promote our Brand, our activities, our products and our services. For example, we may occasionally send you commercial communications relating to services similar to those you have previously used (so-called "Soft-Spam").

Lawfulness: This processing will be carried out pursuant to art. 6 par. 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller in compliance with the provisions of art. 130 of Legislative Decree 196/2003.

F6 Origin: the data have been transferred for F1 purposes

Duration of Processing: We will process your data for the entire duration of the **F3** purposes or your opposition to the processing.

Further conservation: if deemed appropriate and necessary, at the end of the processing may be kept evidence of the communications sent (eg date and time, subject, recipient) in order to demonstrate the correctness and lawfulness of the same (see purpose **F5**).

Purpose: Sending commercial communications for the purpose of promoting products or services (Marketing)

Lawfulness: This processing will be carried out pursuant to art. 6 par. 1 letter a) of the GDPR on the basis of your free and informed consent.

F7 Data Source: directly provided, from public lists, collected from third parties.

Duration of processing: We will process your personal data for the entire period of validity of the consent.

Further storage: The data will be kept until your consent is revoked. This is without prejudice to longer retention periods provided for any F5 purposes.

Purpose: Anonymization for internal analysis and statistical purposes. In some circumstances, for the processing carried out for the purposes **F1, F2, F3** and **F4** we may anonymize some data so that they can no longer be associated with you, in such cases it will be possible for us to use said data without further notice to you and keep them for an indefinite time. We will carry out anonymization only if we are able to guarantee and demonstrate over time the impossibility of being able to associate such data to your person again (eg through Reverse Engineering techniques).

F8 For example, the data may be used to compile market statistics, quality, security, access to the website, etc. If the use of your anonymized data is required to feed statistics that could fall outside your legitimate expectations, we will provide you with specific information and collect your consent if necessary.

Lawfulness: This anonymization treatment will be carried out pursuant to art. 6 par. 1 letter f) of the GDPR on the basis of the Legitimate Interest of the Data Controller.

Data Source: Collected for **F1, F2, F3** and **F4** purposes

Duration and Storage: We will store and use anonymized data indefinitely



If, during the existing relationship, further and specific treatments are necessary, not indicated in this statement, we will take care to **MSA Damper** provide you and / or your Organization with specific information in advance and, if necessary, proceed to acquire the necessary consent.

7 PRINCIPLES APPLICABLE TO DATA PROCESSING

Right from the information collection phase, or any processing performed by us will respect the principle of relevance and not excess by virtue of the purposes pursued by the same. We inform you that access to your personal data by the persons in charge is allowed only if the knowledge is considered strictly essential for the pursuit of the purposes illustrated in this document.

8 MANDATORY OR OPTIONAL NATURE OF DATA PROVISION

For the purposes **F1** and **F2** of this statement, the provision of personal data is a necessary requirement and any refusal to provide the requested information, could totally or partially prevent the performance of activities aimed at the fulfillment of the commercial supply contract, or the fulfillment of legal obligations, regulations deriving from community legislation, or deriving from instructions given by public authorities or supervisory bodies. For example, we may be unable to provide you or your organization with goods or services.

9 LEARN MORE ABOUT RETENTION

Without prejudice to what is stated in [paragraph 6](#) of this statement, for organizational reasons, the data will be deleted / destroyed or anonymized within **90** days from the expiry of the retention periods.

10 PROCESSING METHODS

Con logic strictly related to the purposes of collection **MSA Damper**, in awe adopt and observe strict procedures and security measures to store, use and allow you to view your personal data through paper, computer and telematic tools, so as to always guarantee their Protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.

In particular, the data are:

- accepted exclusively for the stated purposes and subsequently processed in compliance with them;
- adequate, relevant and limited with respect to the purposes stated above ("so-called data minimization");
- accurate and, if necessary, updated, deleted and/or corrected, also on the basis of any indications;
- used and stored for a period of time not exceeding the achievement of the purposes for which they are collected.

10.1 AUTOMATED DECISIONS



To achieve the purposes of this statement, it does not implement automated decisions based on your personal data. **MSA Damper**

10.2 SAFETY



MSA Damper has taken steps to survey the risks for the rights and freedoms of the interested parties involved in the treatments declared in this statement, also considering the risks hanging over the computer systems used for such processing. The risks were subsequently assessed, analyzing the sources of risk and mitigating the threats capable of materializing them through the adoption of technical and organizational measures deemed adequate.

11 SCOPE OF COMMUNICATION AND DISSEMINATION OF DATA

For the pursuit of the purposes stated in this document and within the limits of what is strictly necessary, **MSA Damper** it makes use of the activities of external parties with whom specific agreements are stipulated on the processing of personal data to regulate the relationships of **Ownership / Responsibility** pursuant to the Regulation (external subjects that carry out technical, commercial, legal, administrative consultancy activities, companies that provide IT services in Cloud, data processing, shipping and transport services, banks, bodies, public administrations, authorities, supervisory bodies, etc.). Internally, the subjects involved in the processing of your personal data are bound to confidentiality, adequately trained and appointed as "**Authorized**" objects to treatment.

Without prejudice to any legal obligations, **your personal data will not be disseminated in any way.**

For more information on who may become aware of your personal data, you can contact our Company Data Protection Coordinator.

12 TRANSFER OF DATA ABROAD

For the purposes stated in this statement, **MSA Damper** it does not transfer your data outside the European Economic Area (EEA). However, if your personal data is transferred to countries outside the European Economic Area (EEA), in the absence of adequacy decisions by the Commission of the European Union, we will ensure that appropriate safeguards are in place to protect your personal data in these countries. Some of the safeguards that may be adopted, where appropriate, include

the use of standard contractual clauses approved by the European Commission, pseudonymisation and, if possible, encryption of the data.

By way of example but not limited to, we inform you that the transfer abroad of your personal data is often linked to the use of cloud technologies, digital communication systems, security software and protection of IT services. In these cases, our Company undertakes to use services chosen among the operators that guarantee greater standards of security and attention to the protection of personal data.

In this regard, we inform you that you **MSA Damper** use some ICT services, provided by US companies such as, for example, Microsoft, Google and Apple that operate as our Data Processors pursuant to Article 28 of the GDPR.

For this reason, we sign service contracts and "*Data Processing Agreements*" (DPAs) with these companies, which also include the "*Standard Contractual Clauses*" (SCCs) established by the European Commission pursuant to art. 46, par. 1, GDPR.

However, while selecting, where possible, the provision of these services through Data Centers located within the EEA, the Data Processor may have to allow access to our data to the American authorities as a result of the so-called "Cloud ACT".

13 RIGHTS OF THE INTERESTED PARTY

As a person interested in the processing of your personal data, you may exercise at any time the rights recognized by articles 15 to 22 of the Regulation.

In particular, within the limits and within the limits of the law, you have the right to ask our Company for access to your personal data, rectification, cancellation or limitation of the processing of personal data concerning you and to oppose their treatment. To exercise your rights you can use the contact channels provided in this document.



You can obtain more information on the rights applicable to the treatments declared in this information within [ANNEX A](#)

14 COMPLAINT TO THE SUPERVISORY AUTHORITY (art. 77 GDPR)

Without prejudice to the possibility of contacting you to **MSA Damper** obtain any information or for the exercise of your rights, we inform you that you can lodge a complaint with the competent independent administrative authority in the Member State of the European Union where you reside and habitually, where you work, or where you believe you are verified an alleged violation of the law on the protection of personal data. In Italy, you can lodge a complaint with the Guarantor for the Protezione dei Dati Personali (GPDP). For information on how to submit your complaint to the Authority, you can use the following contact details:



Guarantor for the protection of personal data

Switchboard: +39 06.696771
E-mail address: garante@gpdp.it
PEC address: protocollo@pec.gpdp.it
Website: <https://www.garanteprivacy.it>

15 UPDATING OF THE INFORMATION

This information, **INF-DPMS.02 "CUSTOMER PRIVACY POLICY" Version 0 0** in force since **20/01/2023**, replaces the previous one issued on 25/05/2018. The document is periodically reviewed according to regulatory and/or corporate changes.

In case of modification in its fundamental parts (such as the purposes, methods, to whom we communicate the data, where we transfer them, etc.) it will be the responsibility of our Company to inform you of the change.



You can find the updated version of this information on the institutional website of **MSA Dampers.r.l.** at the following link: <https://msadamper.com/privacy>

ANNEX A**GUIDE TO THE EXERCISE OF THE RIGHTS APPLICABLE TO THE TREATMENTS DECLARED IN THE
INFORMATION CLIENTI INF-DPMS.02 VER. 00 OF 20/01/2023****RIGHT OF ACCESS (art. 15 GDPR)**

As a data subject, you have the right to obtain confirmation as to whether or not we are processing personal data concerning you and, if so, to obtain access to the following information:

1. the purposes of the processing;
2. the categories of personal data concerned;
3. 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;
4. where possible, the envisaged retention period of personal data or, if not possible, the criteria used to determine this period;
5. the existence of the right of the interested party to ask the data controller to rectify or delete personal data or limit the processing of personal data concerning to oppose their processing;
6. the right to lodge a complaint with a supervisory authority;
7. if the data have not been provided directly by you, all available information on their origin;
8. 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 consequences of such processing for you;
9. If your personal data are transferred to a third country or to an international organization, you have the right to be informed of the existence of adequate guarantees pursuant to Articles 45-50 of the GDPR.



Your right to obtain a copy of the data will only be allowed if it is possible to do so without infringing the rights and freedoms of others. If you decide to exercise this right, we will provide you with a copy of the personal data being processed. **If you request further copies, we may ask you for a fee based on the administrative costs incurred by us.**

Conditions of applicability

This right is guaranteed for all processing carried out by us regardless of their basis of lawfulness. Especially:

	F1	F2	F3	F4	F5	F6	F7	F8
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Specific conditions of non-applicability

- The right does not apply to data already anonymised for **F8** purposes

RIGHT TO RECTIFICATION (art. 16 GDPR)

You have the right to obtain from us the modification and updating of your personal data without undue delay. Taking into account the purposes of the processing, you have the right to have your incomplete personal data completed, including by providing us with a supplementary statement.

Conditions of applicability

This right is guaranteed for all processing carried out by us regardless of their basis of lawfulness. In particular, it is applicable to the following treatments:

	F1	F2	F3	F4	F5	F6	F7	F8
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Specific conditions of non-applicability

- The law is not directly applicable to processing carried out for purposes **F4, F5, F6** and **F8**, as for these treatments the data collected for purposes **F1, F2** and **F3** are used.

RIGHT TO ERASURE "RIGHT TO BE FORGOTTEN" (Art. 17 GDPR)

You have the right to obtain the deletion of personal data concerning you without undue delay.

Conditions of applicability

We grant you this right for the following processing operations, when one of the following reasons exists:

1. when the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed:

Specific conditions of non-applicability

- The right does not apply to data already anonymised for **F8** purposes

2. if you have revoked the consent on which the processing is based and there is no other legal basis to continue it without your authorization:

Specific conditions of non-applicability

- The law is not applicable to **F1, F2, F3, F4, F5, F6** and **F8** treatments as they are not based on the consent of the interested party.

3. if you object to the processing and there is no legitimate overriding reason on our part to proceed with the processing anyway:

Specific conditions of non-applicability

- The right is not applicable to **F1, F2 and F7** treatments as they are not based on legitimate interest and to data already anonymized for F8 purposes

4. if personal data are unlawfully processed:



5. where personal data must be erased to comply with a legal obligation to which we are subject as Data Controllers:

Specific conditions of non-applicability

- The right does not apply to data already anonymised for **F8** purposes

6. where personal data have been collected in relation to the offer of information society services:

Specific conditions of non-applicability

- The right is not applicable to any of the treatments stated in this statement.

RIGHT TO RESTRICTION OF PROCESSING (art. 18 GDPR)

This right is guaranteed for all processing carried out by us regardless of the lawfulness basis used.



The personal data subject to limitation, are processed, except for storage, only with your consent or for the assessment, exercise or defense of a right in court or to protect the rights of another natural or legal person. In addition, we inform you that the data subject who obtained the restriction of processing is informed by the controller before the restriction is lifted.

Conditions of applicability

You have the right to obtain the limitation of processing when one of the following hypotheses occurs:

1. You have contested the accuracy of the personal data; The restriction will apply for the period necessary to allow us to verify the accuracy of such data:

Specific conditions of non-applicability

The right does not apply to data already anonymised for **F8** purposes

2. the processing is unlawful and you oppose the cancellation of your personal data by requesting, instead, that its use be limited:

Specific conditions of non-applicability

The right does not apply to data already anonymised for **F8** purposes

3. Although we no longer need it for the purposes of processing, the personal data are necessary for you to ascertain, exercise or defend legal claims:

Specific conditions of non-applicability

The right does not apply to data already anonymised for **F8** purposes

4. You have objected to the processing; The limitation will be applied pending verification of whether our legitimate grounds prevail to continue the same:

Specific conditions of non-applicability

The right is not applicable to data already anonymized for **F8** purposes and to **F1** and **F2** treatments as they are not based on legitimate interest.

RIGHT TO NOTIFICATION (art. 19 GDPR)

You have the right to obtain from us a direct communication to each of the recipients to whom your personal data has been transmitted, regarding your requests for rectification or erasure or limitation of processing, unless this proves impossible or involves a disproportionate effort. Furthermore, if you deem it appropriate, you have the right to obtain a list of recipients of your data.

Conditions of applicability

This right is guaranteed for all processing carried out by us regardless of the basis of lawfulness used:

	F1	F2	F3	F4	F5	F6	F7	F8
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Specific conditions of non-applicability

The right does not apply to data already anonymised for **F8** purposes

RIGHT TO DATA PORTABILITY (art. 20 GDPR)

You have the right to receive the personal data provided to us in a structured, commonly used and machine-readable format and the right to obtain from us the direct transmission of such data to another data controller if technically feasible.

Conditions of applicability

This right is guaranteed only for processing that has consent or contract as their legal basis and is carried out by automated means:

	F1	F2	F3	F4	F5	F6	F7	F8
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Specific conditions of non-applicability

The law does not apply to the processing carried out by us

RIGHT TO OBJECT (art. 21 GDPR)

You have the right to object at any time to the processing of your personal data based on our legitimate interest, including profiling.



We will only refrain from further processing your personal data if we cannot demonstrate compelling legitimate grounds over your interests, rights and freedoms. The processing will continue even if the data are necessary for the assessment, exercise or defense of our rights or those of third parties in litigation.

Conditions of applicability:

The legal basis of the processing must be legitimate interest. The law is applicable to the following treatments:

	F1	F2	F3	F4	F5	F6	F7	F8
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Specific conditions of non-applicability

The law is not applicable to processing carried out for **F1, F2** and **F7** purposes as they are not based on legitimate interest and to processing carried out for **F5** purposes as necessary for the assessment and defense in litigation.

SPECIFIC RIGHTS IN THE CASE OF AUTOMATED DECISION-MAKING (art. 21 GDPR)

You have the right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or that significantly affects your person. In addition, you have the right to obtain human intervention from the Data Controller, to express your opinion and to contest the automated decision.

In any case, decisions should not be based on special categories of personal data referred to in Article 9(1) of the GDPR, unless points (a) or (g) of Article 9(2) of the GDPR apply, and adequate measures are in place to protect your rights and freedoms.

Conditions of applicability

The law shall not apply where the decision:

- is necessary for the conclusion or performance of a contract between us;
- is based on your explicit consent;
- the decision is authorised by Union or Member State law.

	F1	F2	F3	F4	F5	F6	F7	F8
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Specific conditions of non-applicability

- The right is not applicable to any of the treatments declared in this statement as none of the same subjects the interested party to a decision based solely on automated processing.

RIGHT TO COMPENSATION FOR DAMAGES (art. 82 GDPR)

We inform you that anyone who suffers material or immaterial damage caused by a violation of Regulation 2016/679 has the right to obtain compensation for such damage.

FORMS FOR THE EXERCISE OF RIGHTS

To exercise your rights towards our Company, we advise you to use the following form made available by the Guarantor Authority:

<https://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/1089924>

We remind you that your identification is always necessary on our part.

End of Document