



DPMS

Data Protection Management System

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

Classification: **L1 – PUBBLICO**

VISITOR PRIVACY POLICY

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

MSA Dampers.r.l.

Legal and operational headquarters: Via Learco Guerra, 18 - 14100 Asti (AT)

P.IVA C.F/Register of companies: IT 11010890967 - Cod. REA: AT – 134990

PEC: msadampersrl@legalmail.it

Telephone +39 0141 1785176

email: info@msadamper.com

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1 RECIPIENTS OF THE DOCUMENT

This information is issued to you regarding the acquisition of your personal data following your request for access to the premises as **MSA Dampers.r.l.** a guest / visitor.

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

PEC: msadampersrl@legalmail.it

Telephone +39 0141 1785176

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 TREATMENT

5.1 WHY WE ASK YOU FOR YOUR DATA

Personal data relating to your person and all other relevant information voluntarily provided by you or our organization to our Company or inferred by us during your visit, (hereinafter, the "Data"), will be processed to allow you secure access to our premises. This will result in identification (eg. we will view your identity document) and the registration of some identification and contact data.

In addition, from the information collected, we can verify your presence within our premises or contact your organization in the event of accidents or disasters.

5.2 WHAT ARE THE PURPOSES

- F1. ensure the security of access to our restricted areas;*
- F2. prevent crimes and/or abuses and take protective action to protect the interests of the Company or those of third parties such as, for example, defending in court and/or asserting rights;*
- F3. ensure the safety and health of visitors within our premises in case of accidents, disasters or necessities;*
- F4. fulfill legal obligations, regulations and community legislation, or deriving from instructions given by public authorities or supervisory bodies;*
- F5. achieve, maintain and demonstrate certifications or accreditations, comply with regulatory standards apply specific codes of ethics, conduct or ethics;*

F6. *to comply with our confidentiality obligations by transferring these obligations to our visitors, by having them sign appropriate NDA confidentiality agreements depending on the information that the visitor may become aware of, even accidentally, during his visit.*

5.3 WHY WE CAN DO IT

For the purposes explained above, we may process your personal data on the basis of the following lawfulness bases.



LEGITIMATE INTEREST pursuant to art. 6, paragraph 1, letter f) of the GDPR.

We believe it is in our legitimate interest to pursue the purposes **F1, F2, F3** and **F5** and carry out all the treatments deemed necessary to ensure adequate protection of our assets, the safety of our visitors, achieve / maintain certifications and accreditations with customers and comply with the industry standard.



LEGAL OBLIGATION pursuant to art. 6, paragraph 1, letter c) of the GDPR.

For the purpose **F4** the processing of your personal data will be carried out or to fulfill legal obligations or provisions of the Authority. For example, the obligations established by Legislative Decree 81/2008 regarding safety in the workplace or measures of the Authority for the containment of the health emergency.



CONTRACTUAL OBLIGATION pursuant to art. 6, paragraph 1, letter b) of the GDPR.

For purpose **F6**, the processing is necessary to fulfill contractual obligations to which we are bound.

5.4 WHERE YOUR PERSONAL DATA COMES FROM

The data are generally provided by you to our authorized personnel by filling in the appropriate access registration form (register) or during your stay on our premises. However, certain information about you may be provided by your organization or collected by us during your visit.

5.5 WHAT KIND OF PERSONAL DATA WILL BE PROCESSED

- name, surname, company, date, time of entry and exit;
- your identity document if we have not already identified you otherwise;
- his signature;
- reason for the visit, any accompanying assets;
- any statements or other relevant information provided by Lei spontaneously provided or obtained by us during your visit.

5.6 MANDATORY OR OPTIONAL NATURE OF DATA PROVISION

The provision of your personal data, although voluntary and optional, is a binding requirement to obtain access to specific areas of our company. In addition, the registration of the presence within our premises may, in some cases, be mandatory to comply with the obligations of specific laws on health safety in the workplace (eg. Legislative Decree 81/2008).

5.7 RETENTION CRITERIA OR TIMES

For purposes **F1, F2** and **F5**, we will retain your personal data for a period of **24 months**. This period is deemed appropriate to meet our organizational needs regarding any investigation of security breaches, provided that it is not necessary to keep them further to defend or enforce a right, or any further legal obligations or, finally, on the order of the Public Authorities.

For the **purpose F3** your data could be deleted the day after registration (achievement of the purpose), however, the access log is unique and the purposes are therefore unified to the same storage times.

For the purpose **F4** 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.

For purpose **F6**, the documents will be kept for the entire duration of the confidentiality obligation and subsequently for 10 years.

6 FURTHER TREATMENTS



If, during your visit, further and specific treatments not indicated in this information become necessary, we will take care to provide you and / or your Organization with specific information in advance and, **MSA Damper** 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 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.

9 SECURITY OF PERSONAL DATA

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.

10 SCOPE OF COMMUNICATION AND DISSEMINATION OF DATA

For the pursuit of the stated purposes 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 (eg. 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.**

11 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).

12 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](#)

13 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@gdpd.itPEC address: protocollo@pec.gdpd.itWebsite: <https://www.garanteprivacy.it>**14 UPDATING OF THE INFORMATION**

This information, **INF-DPMS.02A "VISITOR 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.



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 VISITOR**
INFORMATION INF-DPMS.02A 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:



Specific conditions of non-applicability

None

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:



Specific conditions of non-applicability

None

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

You have the right to obtain the cancellation 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:

<input checked="" type="checkbox"/>	F1	F2	F3	F4	F5	F6
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Specific conditions of non-applicability

None

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. The right is not applicable to any of the treatments declared in this statement:

<input checked="" type="checkbox"/>	F1	F2	F3	F4	F5	F6
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Specific conditions of non-applicability

The law is not applicable as none of the treatments bases its lawfulness on consent

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

<input checked="" type="checkbox"/>	F1	F2	F3	F4	F5	F6
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Specific conditions of non-applicability

The law is not applicable to **treatments F 4 and F6** as they are not based on legitimate interest

4. if personal data are unlawfully processed:

<input checked="" type="checkbox"/>	F1	F2	F3	F4	F5	F6
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5. where personal data must be erased to comply with a legal obligation to which we are subject as Data Controllers:

<input checked="" type="checkbox"/>	F1	F2	F3	F4	F5	F6
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Specific conditions of non-applicability

None

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

<input checked="" type="checkbox"/>	F1	F2	F3	F4	F5	F6
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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, L a inform you that the data subject who has obtained the restriction of processing is informed by the data controller before said 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

None

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

None

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

None

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 **F4** and **F6** 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
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Specific conditions of non-applicability

None

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 you have the right to obtain from us the direct transmission of such data to another 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
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Specific conditions of non-applicability

The law is not applicable to the treatments declared in this statement

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
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Specific conditions of non-applicability

The law is not applicable to processing carried out for purposes F 4 and F6 as they are not based on legitimate interest and to processing carried out for purposes F2 when 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
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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, we advise you to use the following form made available by the Guarantor Authority **MSA Damper**:

<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