

## **DPMS**

### **Data Protection Management System**

Doc. **INF-DPMS.04** Rev. **00** of the **20/01/2023**

Classification: **L1 – PUBBLICO**

## **VIDEO SURVEILLANCE** INFORMATION

*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 aimed at natural persons who, for any reason, intend or are forced to access the area subject to video surveillance. These natural persons are considered data subjects pursuant to art. 4 of the Regulation.

## 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 compliance with this principle, we hereby intend to inform you about the processing of your personal data relating to the video surveillance system, also reporting the provisions of Article 13 of the Regulation.

This information integrates the brief information issued through the appropriate signs placed on the perimeter of the video surveillance area.

## 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 acquired and processed through the video surveillance system, pursuant to the Regulation.

The following is contact information:



### **MSA Dampers.r.l.**

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### 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](mailto: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 INFORMATION FOR WORKERS

This plant is authorized pursuant to art. 4 Law 300/1970 (so-called "*Workers' Statute*") by means of a specific trade union agreement signed between the parties.

## 7 VIDEO SURVEILLANCE TREATMENT

The interested party has the right to know the purposes of the video shooting, the legal basis that makes the processing lawful, the methods of processing, who can access the recorded data and the retention period of the images.

### Why do we do this?



Registration  
**24 hours a day**  
**7 days a week**

#### Purpose

We use the video surveillance system in order to improve the safety of workers, to protect our corporate and personal assets and the assets of third parties that for any reason are within our company.

Registration is carried out continuously, i.e. 24 hours a day, 7 days a week.

This is necessary in order to verify, even during working hours, any unauthorized access, any damage or theft suffered or damage caused by third-party vehicles maneuvering in our courtyards.

### What is the legal basis of the processing?



Legitimate Interest  
Art. 6.1 lit. f GDPR

We believe it is our legitimate interest to guarantee the safety of our workers, the protection of our corporate and personal assets and the assets of third parties who come to our company.

The interested party has the right to object to the processing but we may continue to process your personal data if there are compelling legitimate reasons to proceed with the processing that prevail over your interests, your rights and your freedoms or when it is necessary for the assessment, exercise or defense of a right in court.

### What are the retention criteria?



Preservation  
**48 hours**

The conservation is limited to **48 hours** after registration, except for special needs for further storage in relation to holidays or closure of our offices as well as in case you have to adhere to a specific investigative request of the judicial authority or judicial police. Access to the recorded images will be made exclusively to verify specific events of violation or suspected violation of our rights to protect the safety of workers, property and property of third parties.

At the end of the 48 hours, the images are automatically deleted or overwritten by the registration system.

### Is the data transferred abroad?



The interested party has the right to know if his data are communicated to recipients of third countries outside the European Economic Area or to international organizations.

For the purposes listed in this statement, personal data **are not transferred** abroad.

**Further information on the treatment**



Personal data  
Art. 4.1 GDPR

**What kind of personal data do we process?**

The video surveillance system only processes video images and individual frames of the interested parties entering the controlled area or facing the perimeter fence or gates. These frames are considered personal data pursuant to art. 4.1 of the Regulation.

**How do we process personal data?**

Personal data are acquired through cameras appropriately and regularly installed in compliance with current legislation. The acquired data are recorded on a special recorder and appropriate technical and organizational measures have been taken in order to protect its integrity and confidentiality (unauthorized access). The data of the perimeter cameras could be viewed in LIVE mode in order to control driveway or pedestrian access and damage caused by vehicles maneuvering in the courtyards.

**Can the person concerned refuse to provide the data?**

The provision of data takes place automatically when entering the area subject to video surveillance. Sometimes the interested party is forced to enter to meet contractual obligations (eg employees who go to work, collaborators, couriers, external technicians, supervisory bodies, etc.) and is not free to make a voluntary choice.

**What happens if he refuses?**

The interested party may fail to fulfil his contractual obligations with the Data Controller or Third Parties.

In the limited cases in which the interested party is free to decide whether or not to access the video surveillance area, (eg guest), the lack of access will not allow him to take advantage of all the opportunities offered by us and connected to those areas.

**Who can access personal data?**



The interested party has the right to know the recipients or categories of recipients to whom the personal data have been or will be communicated

The personal data acquired by the video surveillance system will be accessible to the following subjects:

- a. Our employees and collaborators in their capacity as **Authorized to process.**
- b. Companies / professional firms that provide assistance and / or advice to the Data Controller (eg in legal matters), as well as to third party service providers.  
These subjects will process the data in their capacity as **Data Processors.**
- c. We may also communicate the data to the administrative, institutional and / or judicial authorities and to any other person to whom communication is mandatory by law and / or for the fulfillment of the purposes indicated in this statement.  
These subjects will process the data in their capacity as independent **Data Controllers.**

The complete list of recipients of personal data is available from the Data Controller.

**Attention!! In no case will the data be disseminated.**

**Who can identify the subjects filmed?**



The interested party can be identified

Without prejudice to the right of the interested party to voluntarily identify himself in the subject filmed, in the event of a dispute or crime, the subjects taken up will be identified by the competent authority following a complaint. In compliance with any applicable law, the Data Controller will make available to the authority all the necessary information in its possession in order to identify the recovered subject more quickly.

## 8 ADDITIONAL RIGHTS

Without prejudice to what is highlighted in the previous points, taking into account the type of processing and with reference to the legal basis adopted by the Data Controller, the following additional rights are granted to the interested party:

### 8.1 ACCESS (EX ART.15 GDPR)

The right to obtain confirmation as to whether or not we are processing personal data concerning him and, if so, to obtain access to the personal data processed.

The right to obtain a copy of the data being processed in electronic format. This right is applicable only if it does not lead to harm to the rights and freedoms of others such as, for example, the presence of other identifiable subjects in the images and the lack of the possibility of anonymizing them safely at low cost through the deletion or masking of the parts of the frames that portray them. On this point it is specified that if further copies are requested after the first, a fee may be charged based on our administrative costs.

### 8.2 CANCELLATION (EX ART.17 GDPR)

The right to obtain the erasure of personal data concerning him without undue delay if one of the following reasons exists:

- a) the personal data are no longer necessary with respect to the purposes for which they were collected or otherwise processed (see the retention criteria in point 9);
- b) the data subject has withdrawn the consent on which the processing is based and there is no other legal basis for the processing (not applicable);
- c) the interested party opposes the processing and there is no legitimate overriding reason to proceed with the processing;
- d) the personal data have been unlawfully processed;
- e) personal data must be deleted to comply with a legal obligation to which our Company is subject.

### 8.3 LIMITATION (EX ART.18 GDPR)

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

- a) the accuracy of the personal data is contested by the data subject. The restriction will apply for as long as necessary to enable us to verify the accuracy of such personal data;
- b) the processing is unlawful and the interested party opposes the deletion of personal data and requests instead that its use be limited;
- c) Although we no longer need them for the purposes of processing, the personal data are necessary for the data subject to ascertain, exercise or defend legal claims;
- d) the interested party has opposed the processing, pending verification of the possible prevalence of the legitimate reasons of the data controller with respect to those of the interested party.


### 8.4 NOTIFICATION (EX ART.19 GDPR)

The right to obtain from our Company a direct communication to each of the recipients to whom we have transmitted personal data regarding requests for erasure and or restriction and processing, unless this proves impossible or involves disproportionate effort. In addition, if he deems it appropriate, the interested party the right to obtain from our company the list of recipients of his data.

### 8.5 COMPLAINT (EX ART.77 GDPR)

Without prejudice to the possibility of contacting to 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 habitually reside, where you work, or where you believe there has been an alleged violation of the law on the protection of your personal data. In the Italian territory you can submit a complaint to the Guarantor for the Protection of Personal Data (GPDP). **MSA Damper**

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](mailto:garante@gpdp.it)  
PEC address: [protocollo@pec.gpdp.it](mailto:protocollo@pec.gpdp.it)  
Website: <https://www.garanteprivacy.it>

### 8.6 COMPENSATION (EX ART.82 GDPR)

We also remind you that anyone who suffers material or immaterial damage caused by a violation of Regulation 2016/679, has the right to obtain compensation for damage from the data controller or data processor.

## 9 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>

In order to allow a rapid response to the request for the exercise of rights, it is necessary that the interested party:

- indicate the exact date of resumption;
- indicates as precisely as possible the time or time frame;
- provides other elements useful to identify it in the frames (e.g. type of vehicle, clothing, etc.) .

The exercise of rights will be allowed only to interested parties identified in the recorded frames (or their delegates). If the images, for any reason, are not clear and / or it is not possible to identify the subject, this subject will not be considered "interested" pursuant to the Regulation by virtue of the lack of the requirements provided for by art. 4.1 of the Regulation itself. However, a voluntary declaration by the data subject to identify himself in the non-identifiable subject of the video will be formalized and deemed sufficient to allow the exercise of the rights provided for by the Regulations. The subject will assume civil and criminal liability for any false statements made in this regard to the Data Controller.

## 10 FURTHER INFORMATION RELATED TO THIS TREATMENT

This informative is kept up to date and available for consultation at WEB [www.msadamper.com/infovideo](http://www.msadamper.com/infovideo)

The brief information indicated in the sign is also an integral part of this document.

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