

Personal data processing notice (Privacy code - Legislative Decree no. 196/2003 as amended by Legislative Decree no. 101/2018 – Art. 13 – EU regulation 679/2016 on personal data processing – Art. 13)

Automar S.p.a. with registered office in Via Cristoforo Colombo, snc – 84098 – Pontecagnano (SA), tax code/VAT no. 00222270654 (hereafter referred to as the “**Data Controller**”), as data controller, hereby informs you under art. Legislative Decree no. 196/2003 as amended by Legislative Decree no. 101/2018 (hereafter referred to as the “**Privacy Code**”) and art. 13 of EU Regulation no. 2016/679 (hereafter the “**GDPR**”) that your data will be processed in accordance with the principles of fairness, lawfulness and transparency, in compliance with the purposes and methods set out below, and collected to the extent necessary and accurate for processing.

1. Type of personal data processed

With reference to the existing contractual relationship with you/your organisation, the Controller processes the following categories of personal data communicated by you/your organisation:

- Identifying and personal data and contact details, including those relating to its employees: name, surname, e-mail, telephone number;
- common data relating to your organisation: e.g. company name, address, telephone number, e-mail, registration number of company vehicles
- economic and commercial data: solvency, banking and financial data, accounting and tax data.

2. Purposes and legal basis of processing

Your personal data are processed for the following purposes:

a) to comply pre-contractual and contractual obligations arising from existing relations with you, pursuant to Art. 6(1)(b) GDPR:

- provide information regarding our services;
- manage any disputes that may arise between us;
- assist you and respond to your requests;
- assess whether we can offer you a product or service and under what conditions;
- manage the contractual relationship with our customers, including any adhesion to the use of our ERP used by Automar to provide its services;
- manage the contractual relationship with our suppliers;
- manage requests for access to forecourts by the *Automar People* App; for more details on the processing carried out through this application solution, please refer to the Privacy Policy published on the same App by the Data Controller.

b) to comply legal or regulatory obligations pursuant to Art. 6(1)(c) GDPR:

- obligations foreseen by law, regulation, EU legislation;
- reply to an official request from public or judicial authorities;
- fulfilling tax and accounting obligations.

c) pursue our legitimate interest, pursuant to Article 6(1)(f) GDPR:

- to defend our legal right and defence of legal claims;
- access control to forecourts and offices by the *Automar People* App; for more details on the processing carried out through this application solution, please refer to the Privacy Policy published on the same App by the Data Controller;
- manage entries and exits from forecourts by the *Automar People* App; for more details on the processing carried out through this application solution, please refer to the Privacy Policy published on the same App by the Data Controller;
- IT management, including infrastructure management and IT security;
- establish aggregate statistics, tests and models, for research and development to improve our existing services or create new ones;
- possible control and check of the reliability of suppliers.

3. Nature of data conferral and consequences of refusal to respond

The provision of personal data for the purposes set out in point 2 is mandatory for all that is required by legal and contractual obligations, and therefore any refusal to provide such personal data in whole or in part may make it impossible for the Controller to execute the contract.

4. Methods of processing

Your personal data will be processed through the operations identified in Art. 4(2) GDPR and specifically: collection, registration, organisation, conservation, consultation, processing, modification, selection, extraction, comparison, use, interconnection, freezing, communication, erasure and destruction of data. Your personal data will be processed in both printed and electronic and/or automated form.

5. Access to data and communication of data

For the purposes set out in point 2, the Data Controller - without having to ask for your consent - may communicate your personal data to different categories of recipients, such as for example:

- Data Controller's employees and collaborators, as persons in charge of the processing and/or internal data processors and/or system administrators
- third-party companies or other parties providing services outsourced by the Data Controller (such as, by way of example, professional firms, consultants, business partners, IT service providers, companies/individuals that Data Controller uses to perform data storage activities and, more generally, companies that perform outsourcing activities on behalf of Data Controller) in their capacity as independent data controllers, external data processors or joint controllers.

The Data Controller may also disclose your data for the purposes set out in point 2 to:

- supervisory bodies, judicial authorities, public bodies and to those parties to whom the data must obligatorily be provided by law for the specified purposes. These parties will process the data as independent data controllers.

Your data will not be disseminated.

6. Data retention

For the purposes set out in point 2, your data shall be processed and stored for the period strictly necessary for the pursuit of the purposes for which they were collected and, in any case, for a maximum period of 10 years from the end of the contractual and/or business relationship, after which the data shall be deleted or anonymised, provided that there is no need for further storage for the purposes of legal defence.

7. Transfer of personal data

Personal data is not transferred outside the European Union. However, it is understood that, should it become necessary, we may also transfer personal data to non-EEA countries, with the assurance in advance that such transfer will take place in accordance with the applicable legal provisions:

- in the case of international transfers of personal data from the European Economic Area (EEA) to a non-EEA country, the transfer may take place if the European Commission has recognised that a non-EEA country provides an adequate level of data protection: in this case, your personal data may be transferred on this basis;
- for transfers to non-EEA countries where the level of protection has not been recognised as adequate by the European Commission, we may rely on an exemption applicable to the specific situation and/or in any event adopt the standard contractual clauses provided by the European Commission for the transfer of personal data outside the EU.

8. Rights of Data subjects and how to exercise them

We inform you that you can exercise your rights under Art. 15 et seq. of the GDPR at any time and if the conditions are met:

- the right to obtain confirmation as to whether or not personal data concerning you exist and a copy of them in intelligible form;
- the right to obtain the updating, rectification or integration of your data;
- the right to obtain the erasure of data within the terms allowed by law;
- the right to object, in whole or in part, to the processing of personal data concerning you;
- the right to restrict processing in the event of a data breach, request for rectification or opposition;
- the right to request the portability of electronically processed data provided on the basis of consent or contract;
- withdraw consent to the processing of your data, where applicable;
- in relation to fully-automated profiling, the right to obtain human intervention by Data Controller to express your opinion and contest the decision.

If you consider appropriate, you have the right to present a complaint to the Data Protection Authority.

To exercise your rights, you may contact the Data Controller at the following e-mail address: privacy@automarspa.it.