

## PRIVACY NOTICE

### Pursuant to Article 13, Regulation (EU) 2016/679 (the 'Regulation' or 'GDPR')

#### 1. WHO IS THE DATA CONTROLLER?

**Gesis S.r.l.** with registered office in Agrate Brianza, Via Cardano no. 2, VAT no. 00977960962 in the person of its legal representative *pro tempore* is the data controller of your Data ("**Gesis**" or the "**Data Controller**").

The Holder can be contacted by writing to the e-mail address [privacy@studioteruzzi.it](mailto:privacy@studioteruzzi.it).

#### 2. WHAT IS PERSONAL DATA?

Pursuant to the GDPR, personal data means: *'any information relating to an identified or identifiable natural person; an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to his or her physical, physiological, genetic, mental, economic, cultural or social identity'* (the '**Data**').

The GDPR also defines special categories of personal data, i.e. *'personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as dealing with genetic data, biometric data intended to uniquely identify a natural person, data concerning a person's health or sex life or sexual orientation'* (the '**Sensitive Data**').

As part of the negotiation process, as well as for the performance and subsequent management of the contract that may be established with you, the Controller collects and processes the following data relating to you:

- personal and identification data (*e.g.*, first name, surname, date of birth, tax code, VAT number);
- contact data, such as address of residence or domicile, registered office, e-mail address, telephone number;
- bank details (*e.g.* IBAN code);
- company/firm, sector, job role, function;
- sensitive data such as data concerning health, political and religious opinions (*e.g.* in relation to 5/1000 quotas), trade union membership, in the context of the execution of the specific mandate conferred;
- in general, any other information strictly necessary for the establishment and subsequent performance of the contract or for ancillary or functional activities, including information potentially collected in the context of possible creditworthiness checks and fraud prevention.

As a rule - except in cases where the provision of certain information is expressly provided for by law or is strictly necessary to ensure compliance with the legal obligations incumbent on the Data Controller, being therefore mandatory - the provision of your Data is entirely voluntary; however, in the event of a refusal to provide the Data required from time to time, it will be impossible for the Data Controller, for example, to establish and/or continue the contractual relationship.

In any event, the Data Controller undertakes to ensure that the information collected and used is appropriate for the purposes set out below and that this does not lead to an invasion of your personal sphere.

### **3. PURPOSE OF PROCESSING AND LEGAL BASIS**

#### **a. Establishment, management and execution of the contractual relationship**

The Data Controller shall process the above-mentioned Data relating to you for the execution of pre-contractual services (*e.g.* (*e.g.*, in the event of a request for information prior to the conclusion of a possible contract), the performance and subsequent management of the contractual relationship to which you are a party and for all activities ancillary thereto, including, by way of example, the ordinary administrative management of the contract, the performance of the services envisaged by the agreement, the issue and payment of invoices, the registration and storage of the Data in order to maintain evidence of your willingness to request the service, the sending of communications with information content relating to the imminent expiry of the contract.

The relevant processing will take place in accordance with the condition of lawfulness set out in Article 6(1)(b) GDPR, the processing being necessary for the performance of a contract to which you are a party or for the performance of pre-contractual measures taken at your request.

If the processing of your Sensitive Data is necessary for the execution of the assignment, the legal basis will be your explicit consent in accordance with Article 9(2)(a) GDPR.

#### **b. Compliance with legal obligations**

Your Data will be processed by the Data Controller for the fulfilment of legal obligations incumbent upon it (including those provided for under anti-money laundering legislation) in connection with pre-contractual checks, the establishment and management of the contractual relationship.

Where necessary, processing will be based on the condition of lawfulness set out in Article 6(1)(c) GDPR.

### **c. Defense of legitimate interests**

The Data Controller processes the Data in order to pursue its legitimate interests (including in court).

The processing is based on the legitimate interest of the Data Controller in defending its rights in court, i.e. on the condition of lawfulness under Article 6(1)(f) GDPR.

### **4. TO WHO ARE YOUR DATA COMMUNICATED?**

Your Data may be transferred to parties that Gesis uses to carry out activities necessary to achieve the purposes indicated and described in paragraph 3 above, including external companies that offer Gesis IT services, specifically appointed as data processors pursuant to Article 28 of the Regulation. Where such communication is possible or required by law, your Data will be communicated to other companies, competent authorities or public bodies, which will process them for their own purposes as independent data controllers.

The list of recipients of your Data may be requested by contacting the Controller at the contact details indicated in paragraph 1 above.

In any case, the Data Controller does not transfer your Data outside the European Economic Area and confirms to you that the Data are not subject to dissemination.

### **5. HOW LONG IS YOUR DATA KEPT?**

Your Data will be processed by Gesis for the entire duration of the contractual relationship and will be kept for a further period of 10 years following the termination of said relationship for any reason whatsoever. At the end of this period, the Data shall be deleted, except in the event of judicial or administrative verification requirements in progress at the date of expiry of the retention period.

### **6. WHAT ARE YOUR RIGHTS AS A DATA SUBJECT?**

You, as a data subject, may exercise the following rights at any time:

- Right of access - You have the right to obtain confirmation as to whether or not data relating to you are being processed and, where applicable, the right to receive any information relating to such processing;
- Right to rectification - You have the right to have your Data in the possession of the Controller rectified if it is incomplete or inaccurate;
- Right to erasure - in certain circumstances, you have the right to obtain the erasure of your Data in the Data Controller's archives if it is not relevant to the continuation of the contractual relationship or necessary to fulfil a legal obligation to which the Data Controller is subject or for the establishment, exercise or defence of a legal claim;
- Right to restriction of processing - under certain conditions, you have the right to obtain restriction of the processing of your Data;

- Right to portability - under certain circumstances, you have the right to have the data we hold about you transferred to a different data controller;
- Right to object - You have the right to object, at any time on grounds relating to your particular situation, to the processing of Data relating to you based on the lawful condition of legitimate interest or the performance of a task carried out in the public interest or in the exercise of official authority, including profiling, unless there are legitimate grounds for the Controller to continue the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims;
- Right of revocation of consent - You have the right to revoke your consent to the processing of your Data at any time, without prejudice to the lawfulness of the processing based on your consent prior to revocation;
- Right to file a complaint with the Supervisory Authority - if the Controller refuses to comply with your requests to exercise the above rights, the reasons for such refusal will be provided. If applicable, you have the right to file a complaint as described in the following paragraph.

Please note that you may exercise the above rights simply by sending an e-mail to the e-mail address of the Controller listed in paragraph 1.

The exercise of your rights as a data subject is free of charge pursuant to and within the limits of Article 12, GDPR.

## **7. HOW TO FILE A COMPLAINT?**

Should you wish to file a complaint about the way in which your Data is processed by the Controller, or about the handling of a request made by you, you have the right to file a complaint directly with the Supervisory Authority.