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## INFORMATION ON SUPPLIER PERSONAL DATA PROCESSING

### Introduction

Elettromar spa (the "**Company**") can collect and process personal data on the Supplier (the "**Supplier**"), if self-employed, and its employees and collaborators (jointly called the "**Interested Parties**") during the execution of a contract (the "**Contract**" concluded between the Supplier and the Company).

The data controller provides the following information: (i) within a reasonable period of time from obtaining personal data and in any case within one month, taking into account the specific circumstances in which the personal data are processed; or (ii) if the personal data are to be used to communicate with the Interested parties, at the latest at the first communication to the Interested Parties. If the interested party or the Supplier has doubts concerning this Data Protection Information Notice or wishes to exercise the rights conferred by the latter, he may contact the Company at the following e-mail address: [privacy@elettromar.it](mailto:privacy@elettromar.it)

### 1. Who is the data controller?

The Company, which has its registered office in Follonica Via Archimede 186 P.Iva 00641720537, is the data controller with regard to the personal data of interested parties. The Company's Data Processing Manager can be contacted at the following address: [privacy@elettromar.it](mailto:privacy@elettromar.it).


### 2. What kind of personal data does the Company handle?

During the execution of the Contract, the Company collects and processes the personal data provided by the Supplier concerning the interested party, such as name, surname, e-mail address, telephone number and identification data of the employees of the Interested Parties

### 3. For what purposes are personal data processed?

The Company processes the personal data of the Interested Persons by manual and electronic means:

- a)** for the execution of the Contract concluded between the Company and the Supplier;
- b)** to protect the Company's rights (more specifically, there are cases in which the Company may disclose the Data of the Interested parties if disclosure is necessary to (i) protect, enforce or defend the legal rights, the recovery of claims, the confidentiality, security or assets of the Company, its employees, agents and suppliers, (ii) protect the Company from fraud or for risk management purposes, (iii) comply with operations strictly connected and instrumental to the start of contractual relationships, including information on professional skills, reliability and the speed and effectiveness of the goods and services offered, (iv) managing the relationship with the supplier for administration, accounting, orders, shipments, billing, services; jointly referred to as the "**Contractual Purposes**");
- c)** to comply with applicable laws and legal procedures and respond to the requests of the competent governmental authorities (the "**Conformity Purposes**");
- d)** to complete a merger or transfer of assets, for example if the Company sells all or part of its business or makes a sale or transfer of its assets or is otherwise involved in a merger or transfer of its entire company or a substantial part of it, the Company may transfer information about the Supplier and the interested party to the counterparties involved in the transaction ("**Purposes of Legitimate Interest in Mergers and Acquisitions**");
- e)** to comply with the possible evaluation of the supplier based on the ISO 9001: 2015 specifications; Anti-money laundering, Privacy, workplace safety, anti-corruption, (**Purpose of Legitimate Interest in quality and safety assessment**);
- f)** to send direct marketing communications concerning the Company's services and products, to process case studies or to indicate commercial references or to invite suppliers to participate in Company events (the "**Marketing Purposes**").

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#### 4. On which legal basis is personal data processed?

The processing of the data of the interested party for the Contractual Purposes and the Conformity Purposes is necessary for the execution of the Contract and in accordance with the applicable laws. The refusal to provide personal data for these purposes prevents the Company from concluding the Contract and, if already concluded, from continuing to execute it.

The data processing of the Data Subject by Purpose of Legitimate Interest in Mergers and Acquisitions and Quality Assessment is carried out on the basis of the legitimate interest of the Company and its counterparts in the execution of the business indicated in article 3 letters d, and in any case on the basis of an adequate balance between the interests of the Company and the companies involved in these activities and the interests of the interested parties, and in some countries also with express authorization pursuant to applicable laws. The interested party has the right to object to the processing in the manner set forth in Article 7 of this Data Protection Notice, to the extent that the Purposes of Legitimate Interest in Mergers and Acquisitions and Quality Assessment do not prevail over the right of the Data Subject.

The processing of data for Marketing Purposes is based on the consent of the interested party and the provision of data takes place on a voluntary basis. The interested party can however revoke his / her consent at any time by contacting the Company at the following address [privacy@elettromar.it](mailto:privacy@elettromar.it).

#### 5. Con quali modalità si trattano i dati personali?

L'uso, come ogni altra operazione di trattamento da parte del Titolare, saranno improntate ai principi di correttezza, liceità, trasparenza, proporzionalità e di tutela della riservatezza. Il trattamento dei dati personali è realizzato con modalità sia automatizzate, sia su supporto elettronico o magnetico, sia non automatizzate, su supporto cartaceo. Le operazioni di trattamento sono attuate in modo da garantire la sicurezza logica, fisica e la riservatezza dei dati personali, minimizzandone al massimo l'uso.

#### 6. E' obbligatorio o facoltativo il trattamento di questi dati?

Per le finalità contrattuali e di conformità i dati sono indispensabili per l'instaurazione del rapporto contrattuale o per la sua esecuzione, mentre altri si possono definire accessori a tali fini. Il conferimento alla scrivente è obbligatorio per i soli dati per cui è previsto un obbligo normativo o contrattuale.

Nei casi in cui il conferimento dei dati è previsto da un obbligo normativo o contrattuale, l'eventuale rifiuto metterebbe il Titolare nelle condizioni di non poter dare esecuzione o prosecuzione al Contratto, in quanto costituirebbe un trattamento illecito. Nei casi in cui non sia previsto alcun obbligo di legge al conferimento dei dati, il rifiuto non condurrebbe all'impedimento del Contratto ma impedirebbe comunque di dare esecuzione alle operazioni accessorie (valutazione, qualificazione fornitori etc ).


#### 7. Chi ha accesso ai dati personali?

I Suoi dati potranno essere comunicati a:

- ad altre entità del gruppo Elettromar o a fornitori di servizi terzi che svolgono attività strumentali per la Società nell'ambito dell'esecuzione del Contratto, nominati in qualità di responsabile del trattamento ove previsto dalle leggi applicabili. Tali entità e fornitori di servizi terzi includono professionisti e consulenti, società di consulenza, società di factoring, istituti di credito, società di informazioni commerciali, fornitori di servizi nel cloud, fornitori di servizi IT, esperti, avvocati, società di recupero crediti, società derivanti da possibili fusioni, scorpori o altre trasformazioni;
- Enti Pubblici e privati, anche a seguito di verifiche od ispezioni, come ad esempio Amm. Finanziaria, Polizia Tributaria, Autorità Giudiziarie, Ispettorato del Lavoro, etc ;
- Soggetti che possono accedere ai Suoi dati in forza di disposizione di legge;
- a dipendenti e collaboratori del Titolare, nella loro qualità di incaricati e/o responsabili interni del trattamento e/o amministratori di sistema.

Un elenco completo dei responsabili del trattamento può essere richiesto alla Società nelle modalità indicate all'articolo 7 della presente Informativa.

#### 8. I dati vengono trasferiti all'estero?

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La gestione e la conservazione dei dati personali avverrà su server ubicati all'interno dell'Unione Europea del Titolare e/o di società terze incaricate e debitamente nominate quali Responsabili del trattamento. I dati non saranno oggetto di trasferimento al di fuori dell'Unione Europea. Resta in ogni caso inteso che il Titolare, ove si rendesse necessario, avrà facoltà di spostare l'ubicazione dei server in Italia e/o Unione Europea e/o Paesi extra-UE. In tal caso, il Titolare assicura sin d'ora che il trasferimento dei dati extra-UE avverrà in conformità alle disposizioni di legge applicabili stipulando, se necessario, accordi che garantiscano un livello di protezione adeguato e/o adottando le clausole contrattuali standard previste dalla Commissione Europea.

## 9. How long are personal data stored?

The Company will keep the data of the Interested parties for the duration of the Contract, in addition to the additional periods of time after the termination of the Contract provided for by law (ordinary statute of limitations) and different obligations. Please refer to the Company's data retention policy, which can be requested by e-mail at: [privacy@elettromar.it](mailto:privacy@elettromar.it).

## 10. What rights does the interested party have?

### 10.1 Article 15 (right of access), 16 (right of rectification) of the EU Reg. 2016/679


The interested party has the right to obtain from the controller the confirmation that the processing of personal data concerning him is being carried out and in this case, to obtain access to personal data and to the following information:

- a) the purposes of the processing;
- b) the categories of personal data in question;
- c) the recipients or categories of recipients to whom the personal data have been or will be communicated, in particular if they are recipients of third countries or international organizations;
- d) the period of storage of personal data provided or, if this is not possible, the criteria used to determine this period;
- e) the existence of the data subject's right to request the data controller to rectify or delete personal data or limit the processing of personal data concerning him or to oppose their processing;
- f) the right to lodge a complaint with a supervisory authority;
- g) 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 expected importance and consequences of such processing for the data subject.

### 10.2 Right referred to in art. 17 of EU Reg. 2016/679 - right to cancellation ("right to be forgotten")

The interested party has the right to obtain from the data controller the deletion of personal data concerning him without unjustified delay and the data controller has the obligation to delete personal data without unjustified delay, if one of the following reasons exists:

- a) personal data are no longer necessary with respect to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws the consent on which the processing is based in accordance with Article 6, paragraph 1, letter a), or Article 9, paragraph 2, letter a), and if there is no other legal basis for the processing;
- c) the data subject opposes the processing pursuant to Article 21, paragraph 1, and there is no legitimate prevailing reason to proceed with the processing, or he opposes the processing pursuant to Article 21, paragraph 2;
- d) personal data have been unlawfully processed;
- e) personal data must be deleted in order to fulfill a legal obligation established by Union law or the Member State to which the data controller is subject;

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- f) personal data was collected in relation to the offer of information society services pursuant to Article 8, paragraph 1 of EU Regulation 2016/679
- g) personal data have been collected regarding the offer of information society services pursuant to Article 8, paragraph 1 of EU Regulation 2016/679

### **10.3 Right referred to in art. 18 Right to limitation of treatment**

The interested party has the right to obtain the treatment limitation from the data controller when one of the following hypotheses occurs:

- a) the data subject disputes the accuracy of the personal data, for the period necessary for the data controller to verify the accuracy of such personal data;
- b) the processing is unlawful and the data subject opposes the deletion of personal data and requests instead that its use be limited;
- c) although the data controller no longer needs it for the purposes of processing, personal data is necessary for the data subject to ascertain, exercise or defend a right in court;
- d) the interested party has opposed the processing pursuant to Article 21, paragraph 1, EU Reg 2016/679 pending verification regarding the possible prevalence of the legitimate reasons of the data controller with respect to those of the interested party.

### **10.4 Right referred to in article 20 Right to data portability**

The interested party has the right to receive in a structured format, commonly used and readable by automatic device, the personal data concerning him provided to a data controller and has the right to transmit such data to another data controller without hindrance by part of the data controller


### **10.5 Can consent be withdrawn?**

The exercise of rights by the interested party is not subject to any form constraint and is free. In the event of a request from you for information relating to the data, the holder will reply as soon as possible - unless this proves impossible or involves a disproportionate effort - and, in any case, not later than 30 days from the request. Possible impossibilities or delays on the part of the owner in satisfying the requests will be motivated.

### **10.6 Can you make a complaint?**

If the interested party feels injured in one of the rights listed in the previous point. can propose a complaint to the Guarantor for the protection of personal data (following the procedures and the indications published on the website of the Authority on [www.garanteprivacy.it](http://www.garanteprivacy.it)) or an administrative or jurisdictional appeal.

Continued: CONSENT FORM

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### Consent Form

#### [For Self-Employed suppliers]

I agree that Elettromar spa. Treats my personal data (eg. name, surname, address, e-mail) for:

- Send me commercial communications regarding its products and services  
☐ I agree ☐ I do not agree
- Prepare case studies and indicate commercial references  
☐ I agree ☐ I do not agree
- Participate in events organized by the Company  
☐ I agree ☐ I do not agree

Date: .....

Stamp and Signature: .....

#### [For Company (no Suppliers or Fornitori self-employed)]

I declare and guarantee that the Interested parties have received the privacy information and have consented to the processing of their personal data by Elettromar spa to receive commercial communications.

Name: .....

Surname: .....

Signatory position: .....

Date: .....

Stamp and Signature: .....

*Please print and sign the document, scan the signed copy, and return it to the Data Controller*