

**Information document pursuant to and in accordance with Article 13 of Regulation (EU) 2016/679 (GDPR)**

In compliance with the provisions of Article 13 of Regulation (EU) 2016/679 (GDPR), we provide you with the necessary information regarding the processing of personal data.



**Processed personal data.**





**Personal data:** (Definition) any information relating to an identified or identifiable natural person (data subject). An identifiable person is someone who can be identified, directly or indirectly, by specifically referring to an identifier such as name, identification number, location data, online identifier or to one or more factors specific to his/her physical, physiological, genetic, mental, economic, cultural or social identity – see Art. 4, par. 1, (1) GDPR.

**Categories of personal data processed:** i) Personal data, contact data and position held at the company to which the data subject belongs; ii) company name, tax code iii) further personal data that may be collected during the negotiation and/or conclusion and/or termination of the contractual relationship.



**1. Data Controller** pursuant to Articles 4 and 24 of EU Reg. 2016/679 is **FONDITAL S.p.A.**, with registered office in Vobarno - BS, Via Cerreto, 40, 25079 - in the person of the Chairperson of the Board of Directors. The **contact details of the Data Controller** are: tel. +39 0365.87831 email: [privacy@fondital.it](mailto:privacy@fondital.it)

**3. PURPOSES OF THE PROCESSING AND LEGAL BASIS - DATA RETENTION PERIOD - NATURE OF THE PROVISION**

 Purposes of the processing	 and Legal Basis	 Data retention period	 Nature of the provision
<p><b>Purpose A)</b> Conducting negotiations and fulfilling the contractual relationship. Fulfilment of the obligations arising from applicable law, including tax legislation</p>	<p>Contract Obligations and fulfillments deriving from the contract - Art. 6 letter b) GDPR</p> <p>Legal obligation</p> <p>Art. 6 letter c) GDPR: the processing is necessary to fulfil a legal obligation to which the data controller is subject.</p>	<p>For the entire duration of the contract and for the following 10 years after termination.</p>	<p>The provision of personal data is necessary for the fulfilment of a contract of which the data subject is a party or for the execution of pre-contractual measures taken at the request of the data subject.</p>
<p><b>Purpose B)</b> Asserting and defending one's own rights, also within the scope of debt collection procedures against the data subject or a third party in a possible dispute</p>	<p>Art. 6 letter f) GDPR and recital 47 GDPR: the processing is necessary to satisfy a legitimate interest of the Data Controller</p>	<p>For the entire duration of the trial and until the judgement becomes final</p>	<p>The provision of data is not compulsory and the data subject may object to the processing.</p>

<p><b>Purpose C)</b> Carrying out activities functional to the sale of a business and business unit, acquisition, merger, demerger or other transformations and for the execution of such operations</p>	<p>Art. 6 letter f) GDPR and recital 47 GDPR: the processing is necessary to satisfy a legitimate interest of the Data Controller</p>	<p>For the entire duration of the operation.</p>	<p>The provision of data is not compulsory and the data subject may object to the processing.</p>
<p><b>Purpose D)</b> Providing you with information of a commercial nature on products or services of the data controller, similar to those already purchased, through our newsletter. (the so-called “soft spam”)</p>	<p>Legitimate interest of the Data Controller, Art. 6 letter f) GDPR and Art. 130, paragraph 4 of Italian Legislative Decree 196/2003</p> <p>The legitimate interest of the Data Controller to develop relationships with its customers and increase the volume of requests and sales of the Products.</p>	<p>Until opt-out   unsubscribing from the mailing list</p>	<p>The provision of data is optional: If you wish to object to the processing of your data, it will not be possible for the Data Controller to keep you constantly updated on offers and promotions of products similar to those already purchased.</p>



**3. RECIPIENTS OR CATEGORIES OF RECIPIENTS OF DATA**

The personal data provided will be communicated to employees or collaborators of the Data Controller, who will process the data as authorised parties acting under the authority of the Data Controller (Art. 29 GDPR). In order to comply with existing contracts with the Company or for related purposes, the personal data provided may be communicated to recipients belonging to the following categories:

- subjects that provide services for the management of the information system and of the telecommunication networks (including e-mail and website);
- firms or companies in the context of assistance and consulting relationships;
- subjects with whom the Data Controller has entered into economic agreements;
- firms or companies in the context of tax assistance and consulting relationships and administrative/accounting management;
- authorities for the fulfilment of legal obligations and/or provisions of public bodies upon request;
- transferees of a business, companies resulting from any merger, demerger or other transformation of the Data Controller - as independent data controllers.

The subjects belonging to the above categories perform their function as Data Processors, or operate in total autonomy as separate Data Controllers. The list of Data Processors is constantly updated and available at the registered office of the Data Controller.



**4. DATA TRANSFER TO A THIRD COUNTRY**

If it becomes necessary to transfer your data to third countries outside the EU, this will be done in accordance with the limits and conditions set out in Articles 44 et seq. of EU Regulation 2016/679. In particular, your personal data will be transferred to the USA (United States of America). The Data Controller, for the transfer in question, has signed the Standard Contractual Clauses in accordance with Article 46 paragraph 2 letter C). In this case, the data subject may obtain a copy of the guarantees on which the transfer is based by writing an email to [privacy@fondital.it](mailto:privacy@fondital.it).



#### 5. AUTOMATED PROCESS

We do not use decision-making processes based on automated processing, including profiling.



#### 6. THE RIGHTS OF THE DATA SUBJECTS

You may assert your rights as expressed in Articles 15 et seq. GDPR, by contacting the Data Controller at the email address [privacy@fondital.it](mailto:privacy@fondital.it) or using the contact details indicated above. You have the right, at any time, to obtain access to your personal data (Art.15), to rectify (Art.16), erase (Art.17) them or to restrict their processing (Art.18). The data controller shall communicate (Art. 19) to each of the recipients to whom the personal data have been transmitted any rectification or erasure or restriction of processing carried out. The data controller shall inform the data subject of such recipients if the data subject so requests. In the cases provided for, you have the right to the portability of your data (Art.20) and in this case you will receive them in a structured format, commonly used and readable by an automated device. You have the right to object (Art.21), at any time, to the processing of data based on legitimate interest by sending an email to the above contacts, writing "opposition" in the subject line, and in cases where the legal basis is your consent, you have the right to revoke the consent given without affecting the lawfulness of processing based on consent before revocation.

To stop receiving automated direct marketing communications (e-mail, write an email to [privacy@fondital.it](mailto:privacy@fondital.it) with the subject line "unsubscribe from automated" or use our automatic unsubscribing systems provided for email only (opt-out).

If the processing of personal data by the Data Controller is believed to be in violation of the provisions of Regulation (EU) 2016/679, the data subject has the right to lodge a complaint with the Supervisory Authority, in particular in the Member State in which he/she usually resides or works or where the alleged infringement of the Regulation occurred (Italian Data Protection Authority <https://www.garanteprivacy.it/>) or to bring an action before the appropriate courts.



#### 8. CHANGES TO THE POLICY

The Data Controller may change, modify, add or remove any part of this Privacy Policy, at any time, except when your consent is required. In order to facilitate the verification of any changes, the information notice will contain an indication of the date on which the privacy policy was updated.

Updated on: 03.12.2021

#### THE DATA CONTROLLER

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