

NOTICE TO CUSTOMERS/SUPPLIERS ON DATA PROCESSING PURSUANT TO EUROPEAN REGULATION 2016/679 (GDPR) AS AMENDED

This notice on the processing of personal data (hereinafter the “Notice”) is given to the Customer/Supplier in relation to the processing of their personal data - whether provided in the capacity of a natural person directly affected by the processing or by virtue of a representational mandate in the name and on behalf of the represented legal person - in accordance with the provisions of Articles 13 and 14 of Regulation (EU) 2016/679 of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation, hereinafter also “GDPR”).

Pursuant to Articles 13 and 14 GDPR, you are therefore invited to read the following Notice.

I. Personal Data.

The following personal data will be collected from the Customer/Supplier:

- for natural persons: identification data (name, surname, taxpayer code), landline or mobile telephone number, home address, email address, address, tax data, billing data;
- for legal persons: name, surname and taxpayer code of the legal representative and/or person appointed to represent the legal person, any landline and/or mobile telephone number and email address of the company contact person/purchasing department (in addition to general non-personal data related to the business and commercial activities of the legal person, such as its company name, registered name, VAT number, registered office address, certified email, telephone number, tax data and billing data);

The Customer/Supplier is responsible for the completeness and accuracy of the Personal Data and must therefore indemnify the Data Controller in relation to any third-party liability.

II. Data Controller

The Data Controller of the personal data provided by the Customer is I.V.A.R. S.p.A., Via IV Novembre, 181 - 25080

Prevalle (BS), Taxpayer Code: IT01457610176), in the person of the legal representative *pro tempore* (hereinafter “I.V.A.R.” or the “Data Controller”).

All correspondence to be sent to the Data Controller can be sent via email to notifiche.gdpr@ivar.it, via certified email to personale-ivar@pec-center.netregister.it or by post to the Data Controller’s registered office address.

III. Purpose of the processing

As required by law, the Data Controller collects and processes Personal Data for the following purposes:

- a) to manage the pre-contractual and contractual phases in order to collect and handle orders relating to the products and services offered by/requested of I.V.A.R., to follow up Customer requests for information on the products and services offered by I.V.A.R. (hereinafter “Order(s)”), and to carry out administrative procedures and activities linked to the fulfilment of Orders (hereinafter the “Service(s)”);
- b) to comply with legal and contractual obligations related to the fulfilment of Orders and Services, including billing and/or payment activities and related tax obligations (hereinafter “Billing”);
- c) to comply with any legal, accounting or tax obligations (e.g. customer due diligence and customer reporting obligations in accordance with the provisions on the prevention of money laundering and terrorism financing, obligations deriving from provisions on the reporting and tackling of cyber crime, tax violations etc.) (hereinafter “Compliance”).

IV. Provision of personal data and legal basis for processing

The Personal Data collected as part of this process are strictly functional to the purposes outlined above. For purposes a) and b) under section III, the provision of the Personal Data does not require consent;

however, in the event of an explicit refusal to provide those Personal Data, it will not be possible to correctly perform the contract or provide the related Services.

For purposes a) and b) above, the legal basis for the processing is the contract and/or Customer's consent. For the Compliance purposes referred to in point c) under section III, the legal basis for collecting the Personal Data is the necessary performance of a legal obligation binding on the Data Controller.

V. Data processing methods.

The processing will be carried out manually, on paper and/or using electronic and/or telematic equipment, with organisational and processing logics that are strictly related to the purposes for which the Personal Data are processed and in any case in such a way that ensures the security, integrity and confidentiality of the Personal Data in accordance with the organisational, physical and logical measures provided for by the legislation in force.

The processing will be carried out in accordance with the principles of fairness, lawfulness and transparency, in such a way that protects the data subject's confidentiality and rights at all times, in accordance with the legislation in force.

The Data Controller represents and warrants that the Personal Data provided by the Customer/Supplier will be processed with the strictest confidentiality and care, and also warrants that appropriate security measures of

a technical and organisational nature, aimed at preventing access to, the disclosure, accidental, undue alteration, loss or unauthorised destruction of Personal Data, will be adopted.

VI. Conservation period

The Personal Data will be stored, in accordance with the provisions of the relevant legislation in force, for a period of time no longer than necessary to fulfil the purposes for which they were collected, processed and provided. For the purposes of Orders/Services and Billing and the related obligations, the Personal Data will be stored by the Data Controller for the entire term of the contractual relationship and for the 10 (ten) years following the last invoice registration date pursuant to Article 2220 of the Civil Code. In case of disputes: where the Data Controller needs to defend itself, take action or even bring claims against the Customer/Supplier, it may store such Data that it reasonably believes will need to be processed for such purposes, for as long as such a claim may be pursued.

VII. Categories of recipients of Personal Data - Transfer/disclosure of Data to third parties

In addition to the Data Controller, in some cases other persons within the Data Controller's organisation may have access to the Personal Data, as well as other persons, including:

persons that typically act as data processors under Article 28 GDPR (hereinafter "Data Processors", namely:

i. persons, companies or professional firms that provide accounting, administrative, legal, tax, financial and debt-recovery assistance and consultancy services to the Data Controller in relation to Orders;

ii. persons external to the Data Controller that operate on its behalf and provide services and/or carry out related activities that are instrumental to or support those carried out by I.V.A.R. itself (e.g. couriers and logistics operators, transport companies, hosting and systems engineering service providers, sales agents/representatives, business agents, brokers etc., collection service providers, IT companies, related companies and/or subsidiaries and/or partners and/or affiliates etc.);

iii. persons appointed to carry out technical maintenance works (including the maintenance of the network apparatus and electronic communication networks);

iv. persons, entities, organisations or authorities, as independent data controllers, to which it is obligatory to disclose Personal Data by virtue of legal provisions or orders issued by the authorities for Compliance purposes (e.g. banks, insurance companies, Consap, tax registers, legal authorities and police forces);

v. persons authorised under Article 29 GDPR by the Data Controller as necessary in order to carry out activities strictly related to the handling and fulfilment of Orders and the provision of Services, who are bound by confidentiality or have a sufficient legal obligation to maintain confidentiality.

Joint Data Controllers, where applicable.

These persons only have access to the Personal Data that are necessary for performing their duties and in reference to the specific purposes for which those Data were collected/provided, and are prohibited from using the Personal Data for any other purposes.

They are also obliged to process the Personal Data in accordance with this Notice and the applicable legislation on the protection of personal data.

An up-to-date list of Data Processors and any Joint Data Controllers can be requested from the Data Controller at any time.

If Personal Data is transferred in the future to a third country outside of the European Union or to an international organisation, all of the provisions of Chapter V GDPR will be respected in order to ensure an adequate level of protection.

VIII. Customer rights

Customers have the right:

- to request confirmation as to whether or not their Personal Data is being processed and, if it is, to obtain access to it (right of access);
- to request the rectification of inaccurate Personal Data or additions to incomplete data (right of rectification);
- to request the erasure of Personal Data in the cases provided for by GDPR (right to erasure);
- to request the restriction of processing, in the cases provided for by GDPR (right to restriction of processing);
- to receive the Personal Data in a structured, commonly used, machine-readable and interoperable format and to transmit it to another controller (right of portability);
- to withdraw consent to the processing of the Personal Data at any time, without affecting the lawfulness of the processing based on consent before its withdrawal (right to withdraw consent);
- to object at any time to processing for marketing and profiling purposes (right to object), where the relative consent has been given previously;
- to complain to a supervisory authority (Garante per la Protezione dei Dati Personali [Italian Data Protection Authority]: <https://www.garanteprivacy.it>), if the Customer believes that the processing breaches GDPR (right to complain).

To exercise those rights, Customers can send an explicit written request to the Data Controller via email to notifiche.gdpr@ivar.it, via certified email to personale-ivar@pec-center.netregister.it or by post to the Data Controller's registered office address.