

# COMERIO ERCOLE

S.p.A. - Capitale Sociale € 2.200.000



Founded in 1885  
MECHANICAL CONSTRUCTIONS

Sede Legale ed Amministrativa  
Via Castellanza, 100  
21052 BUSTO ARSIZIO (ITALY)



## **DISCLOSURE for CUSTOMERS and SUPPLIERS**

COMERIO ERCOLE S.p.A., with headquarters in VIA CASTELLANZA 100 - 21052 BUSTO ARSIZIO (VA) as Data Controller of the personal data processing pursuant to Legislative Decree 196/2003 and subsequent amendments - Code regarding protection of personal data ("Privacy Code") - and EU Regulation 679/2016 applicable from May 25<sup>th</sup> 2018 - General Regulation on Data Protection ("RGPD") (henceforth Privacy Code and RGPD are collectively referred to as "Applicable Regulation"), acknowledges the importance of personal data processing and considers their protection one of the main objectives of own activity.

In compliance with the Applicable Regulation we are hereby providing the necessary information regarding the processing of personal data. This disclosure is provided pursuant to art. 13 of the Applicable Regulation and COMERIO ERCOLE S.p.A. invites you to carefully read it because it contains important information about the processing of personal data and the security measures applied to ensure confidentiality in full compliance with the Applicable Regulation.

COMERIO ERCOLE S.p.A. informs that the processing of personal data will be based on the principles of lawfulness, correctness, transparency, purpose limitation and retention, minimization, accuracy, integrity and confidentiality of personal data. The personal data will therefore be processed in accordance with the legislative provisions of the Applicable Regulation and the confidentiality obligations therein provided.

### **1. DATA PROCESSING CONTROLLER**

According to the Applicable Regulation, the data processing controller is Dr. Riccardo Comerio, as Legal Representative of the company COMERIO ERCOLE S.p.A.


### **2. DATA UNDER PROCESSING**

"Personal Data" means any information relating to an identified or identifiable individual with particular reference to details such as name, identification number, location, online ID or one or more specific factors of physical, physiological, psychological, economic, cultural or social identity.

"Specific Data" means personal data suitable to reveal the racial and ethnic origin, the religious or philosophical convictions, or the union membership, as well as genetic and biometric data, data related to health or sex life or sexual orientation of the person.



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"Judicial Data" means personal data relating to criminal judgments and crimes or related security measures.

"Processing" means any operation or set of operations, performed with or without the aid of automated processes and applied to personal data or set of personal data, such as collection, registration, organization, structuring, preservation, adaptation or modification, extraction, consultation, use, communication by transmission, diffusion or any other form of making available, comparison or interconnection, limitation, cancellation or destruction.

### 3. PLACE OF DATA PROCESSING

Data processing takes place at the aforementioned headquarters of the Data Controller, at the operational offices and at identified third parties head offices.

### 4. TYPES OF PROCESSED DATA

The processing relates to personal and identification data provided voluntarily by the interested party (as example but not limited to: name, surname, address, VAT number, tax code, landline or mobile phone number, e-mail address, bank account details, etc.).

### 5. PURPOSE, LEGAL BASE AND MANDATORY OR OPTIONAL NATURE OF THE PROCESSING

Personal data voluntarily provided will be processed by the Data Controller for the following purposes:

- A. Administrative and accounting purposes. For the purposes of the provisions application regarding the protection of personal data, the processing performed for administrative-accounting purposes are those related to the performance of organizational, administrative, financial and accounting activities, regardless of the nature of the data processed. In particular, these purposes are pursued by internal organizational activities, functional to the fulfilment of contractual and pre-contractual obligations, to the management of the employment relationship in all phases, to the accounting and to the application of the standards about tax, trade union, social security and welfare, health, hygiene and safety at work.
- B. Registration on the institutional website **www.comercole.it**. In the event that the Customer requests it, his personal data will be processed for the attribution of the identification codes necessary to allow registration on the website and to use the services reserved for registered users, including the possibility to request a technical assistance service online and the correct execution of the operations connected to the same request. The identification codes assigned to the Customer are necessary to access the reserved area of the website and proceed with *customer service* and *e-ticketing* request. These codes are communicated to the Customer only and may be known by the internal staff of the office in charge of website managing in case it is necessary for service reasons, or by external agents who may collaborate in the maintenance of the website itself.
- C. Security purpose, pursuant to Legislative Decree 81/2008. With particular reference to the identification data freely provided by the guest / visitor in our premises (name, surname, organization or company), data processing has the exclusive purpose to ensure the compliance of the company security procedures formally applied, also considering the laws in force (i.e.: annotation in the visitor database, assignment of temporary identification badge, applications of legal obligations in the field of safety at work).

## 6. POLICY OF DATA PROCESSING – DATA RETENTION

The data processing will be performed automatically and manually, with modes and means to ensure the max. security and confidentiality, by persons appointed responsible and charged of the data processing in accordance with the Applicable Regulation. The data will be stored for a period not exceeding the purposes for which the data have been collected and subsequently processed, and in any case according with contractual or commercial relationship in force.

## 7. SCOPE OF DATA COMMUNICATION AND DISCLOSURE

The processed data will not be diffused, unless explicit authorization of the interested party released after suitable information. The data may instead be communicated to companies contractually linked to the Data Controller and, where necessary, also to persons inside and outside the European Union, in accordance with and within the limits of art. 42, art. 43 and art. 44 of Legislative Decree no. 196/2003. The data may be disclosed to third parties belonging to the following categories:

- entities providing services for the management of the informatics system used by the Data Controller and telecommunication networks, which take care of the technological maintenance (including e-mail and newsletter service);
- subjects and entities that collaborate with the Data Controller to perform training courses as an example: teachers, Interprofessional Joint Funds, etc.
- freelancers, offices or companies in assistance and consulting scope;
- entities that perform control, revision and certification of the activities carried out by the Data Controller;
- competent authorities for the obligations fulfilment of laws and/or provisions of public authorities, upon their request.

The identification data processed in compliance with company security procedures are not subject to communication, except in the case of specific requests by the competent judicial and investigative authorities.

The entities belonging to the aforesaid categories perform the function of Data Processing Manager, or they operate in complete autonomy as separate Data Controllers. The list of managers is constantly updated and available upon request to the Data Controller.

Any further communication or disclosure will take place only with the explicit consent of the interested party.

Furthermore, during the ordinary processing activities, only the entities expressly designated by the Data Controller as responsible and/or in charge of the processing, authorized according to the respective profiles, will be able to access personal and identification data and thus become aware of them.

## 8. DATA PROVISION AND REFUSAL

With regard to the data that we are obliged to know in order to fulfil the obligations arising from existing contracts and the obligations provided by laws, regulations, Community legislation, or the rules issued by the Authorities legitimated by the law and by supervision and control entities, failure to provide such data will cause the impossibility to establish or continue the relationship, within the limits in which such data are necessary for the execution of the same. The data provision to allow the Data Controller to send commercial communications

is optional; the interested party can oppose the processing at any time by exercising the rights provided for by the Applicable Regulation in the forms and methods indicated herein.

The Data Controller also announces that any non-communication or incorrect communication of one of the mandatory information has the following consequences:

- the impossibility of the Data Controller to guarantee the adequacy of the processing to the contractual agreements, for which it is performed;
- the possible mismatch of the processing results to the obligations imposed by tax, administrative and civil regulations, to which the same data processing is addressed.

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Finally please be informed that at any time You can exercise Your rights towards the Data Controller in accordance with the Applicable Regulation and thus obtaining confirmation of the existence or otherwise of such data, knowing their content and origin, verifying their accuracy, requiring their integration, updating, or correction.

Upon the occurrence of the conditions set forth in the Applicable Regulation, You have the right to request their cancellation, processing limitation, portability, and to oppose, for legitimate reasons, their processing.