

## INFORMATION ON THE PROCESSING OF PERSONAL DATA - CUSTOMERS

Pursuant to Article 13 of the EU Regulation 2016/679, L.M. dei F.lli Monticelli srl (hereinafter "the Company"), the Data Controller of the personal data already communicated or which will be communicated in the future and from which the personal data are or will be collected, wishes to inform you that the data concerning you may be processed, in compliance with the above-mentioned regulation, by the Company in relation to the contractual relationship with you or to those that may be held in the future.

This information is provided in accordance with the principles of transparency and fairness and in compliance with your rights, pursuant to the EU Data Protection Regulation 2016/679 (GDPR).

Processing of data relating to legal persons does not fall within the scope of the data protection rules of the Regulation. For the purposes of clarity and transparency towards its Customers, L.M. dei F.lli Monticelli S.p.A. also makes this information notice available to legal entities, describing the methods and purposes of all processing operations that the Company performs or is entitled to perform on personal data.

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## DATA CONTROLLER

The data controller is L.M. dei F.lli Monticelli S.p.A., Via Giuggioli, 30, Osimo (AN), established in the European Union, which can be contacted at the following addresses: telephone +39 071 7230252, email [info@monticelli.it](mailto:info@monticelli.it).

## PRIVACY CONTACT POINT

L.M. dei F.lli Monticelli S.p.A. has a privacy contact point, which can be contacted for any information concerning the processing of personal data, the exercise of the data subjects' rights, the security policies and the measures adopted, and the list of persons in charge of processing personal data.

The contact point can be reached at: [privacy@monticelli.it](mailto:privacy@monticelli.it)

## SOURCE OF DATA

Personal data are generally acquired directly from the person concerned, conferred on the occasion of the establishment of relations or on the occasion of sending reciprocal requests, at the time of the:

- management and processing of requests, also via the web, concerning our products, goods, services and activities
- signing of contracts, tenders, agreements for the supply of goods or services
- request, establishment or continuation of other relationships requiring the use or supplementation of personal data

Some personal data may be acquired from other parties, including:

- computer data, including the email address or access logs to the web platforms used to manage the services
- information from lists kept by public and institutional, insurance, bilateral or equivalent bodies or under the control of the public authority on the basis of specific national legislation

## PERSONAL DATA CATEGORIES

The processing concerns personal identification data, including personal data, first and last names, company name, address, email, telephone, tax code, data relating to the management of economic relations (IBAN, payment data, etc.).

Further data may be processed in connection with specific processing purposes, of which specific information will be provided.

As a general rule, personal data that can be qualified as 'special', i.e. data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data intended to uniquely identify a natural person, or data concerning a person's health or sex life or sexual orientation are not processed.

As a rule, personal data on criminal convictions and offences are not processed.

Should there be a specific need to acquire and process data of a particular kind or relating to criminal convictions and offences, we shall inform you of this, supplementing this information notice and proceeding to acquire the relevant consent, if this is a condition for the commencement or continuation of the processing itself.

## PURPOSE AND LEGAL BASIS OF PROCESSING

### PROVISION AND SALE OF PRODUCTS AND SERVICES, AND RELATED CONTRACTUAL RELATIONSHIPS

L.M. dei F.lli Monticelli S.p.A. shall process identification data for purposes relating to and/or connected with the provision of its services, the sale of products and the performance of the related pre-contractual, contractual and/or similar agreements, i.e. aimed at:

- managing proposals, estimates, and the acquisition of preliminary information with a view to the possible conclusion of the contract
- drafting and concluding contracts and/or similar agreements and managing the contractual relationship and administrative, operational, management and accounting activities related to the contract (order management, invoicing, supplier reliability checks);
- fulfilling pre-contractual, contractual, tax obligations and auxiliary services related to such obligations, arising from existing relations with you
- managing the services provided through our website [www.monticelli.it](http://www.monticelli.it), which include the collection, retention and processing of data for the purposes of establishing the relationship, processing requests, and the related technical, operational, and administrative management, as well as for sending communications necessary for the performance of the services
- managing payments for the products and/or services purchased, the related payment details (including bank or other payment details), any auxiliary economic charges, and the related contractual, legal, accounting, tax, and administrative requirements.

Personal data may also be processed for purposes relating to legal obligations to which our organisation may be subject, namely, to:

- fulfil general obligations provided for by law, regulations, Community legislation or orders issued by the authorities and other competent institutions
- comply with requests from the competent administrative or judicial authorities and, more generally, from public bodies in compliance with legal formalities

For the aforementioned purposes, processing is necessary to fulfil legal obligations (Art. 6 (1) (c) of the GDPR) and arising from a contract or in order to fulfil, prior to the conclusion of the contract, your specific requests (Art. 6 (1)(c) of the GDPR), 1 (b) of the GDPR), which constitute the legal bases of the processing.

### SENDING OF COMMERCIAL COMMUNICATIONS

Contact details (e.g. first and last names, address, email, telephone) may be used to send, directly by us or by agents and collaborators belonging to our sales network, commercial information, to promote and advertise, by email, paper, telephone and messaging services, products and services similar to the subject of the ongoing relationship with us (so-called "soft spam"), unless no agreement is given, which may be expressed initially or on the occasion of subsequent communications.

For this purpose, processing is based on the legitimate interest of the Data Controller (Art. 6 (1) (f) of the GDPR).

Only with explicit consent (Art. 6 (1) (a) of the GDPR), the data may also be processed for further direct marketing and sales promotion purposes, to:

- send sales information, promote and advertise, by email, paper, telephone and messaging services, new products, goods or services provided by us
- measure the degree of satisfaction with the quality of the services provided

- carry out market research and economic and statistical analyses;
- send, in relation to the preferences expressed, by email, paper, telephone and messaging services commercial and/or promotional communications of third parties (e.g. our business partners)

#### LEGITIMATE INTEREST OF THE DATA CONTROLLER

Personal data may be processed for purposes related to the pursuit of the legitimate interests of the Company, including the aforementioned commercial communications in the context of ongoing relations, protection against fraud, litigation management, risk assessment and related security measures, transfer of data within the organisation, statistical purposes, the fulfilment of obligations related to IT security, including the adoption of procedures for the detection and notification of personal data breaches, as well as the processing necessary to ensure the exercise of the right to object.

For these purposes, the data will be processed on the basis of the legitimate interest of the Data Controller (Art. 6 (1) (f) of the GDPR) according to principles of fairness, proportionality, necessity and minimisation, preferring aggregate or anonymous form as far as possible.

#### PROCESSING METHODS

Data are processed using procedures and tools, including computer means, suitable for storing, managing and transmitting data and guaranteeing their confidentiality, integrity and availability in the manner and within the limits necessary for pursuing the aforementioned purposes and in accordance with the technical security and organisational measures implemented within our organisation.

Personal data are processed exclusively by authorised and trained personnel, who are granted access to said data to the extent and within the limits necessary for the performance of the processing activities.

Data that are surplus to requirements or irrelevant to the purposes of processing will be deleted, except for the possible retention, in accordance with the law, the act or document containing them.

The transmission of data and information via email, the Internet or other digital channels cannot be considered totally secure: L.M. dei F.lli Monticelli S.p.A. is therefore unable to guarantee the security of data transmitted via these channels. Therefore, any such transmission takes place at the sender's risk.

#### AUTOMATED DECISION-MAKING AND PROFILING

No automated decision-making processes, including profiling, are used.

#### DURATION OF PROCESSING

##### PROVISION AND SALE OF PRODUCTS AND SERVICES, AND RELATED CONTRACTUAL RELATIONSHIPS

The data will be processed for the duration of the contractual relationship, connected with the provision of the service or established by similar agreements. The data will also be processed at a later date for the fulfilment of legal obligations and for administrative purposes, within the terms provided for by the regulations in force, such as, for example: terms for keeping accounts, contractual documents, and communications relating thereto, set at 10 years; prescriptive terms that run from the definition of the relationship and in any case from the moment in which the rights that depend on it can be exercised; further terms established by any exceptions imposed by the Authorities (e.g. inspection requests, disputes and assessments) or deriving from any litigation if this entails an extension of the retention terms.

In the event of litigation, the data will be retained until the end of same, unless further retention obligations are established by law.

#### COMPUTER SECURITY

Computer data, including web service access logs and/or related IP addresses, may be retained in relation to the alleged and/or detected risk and the detrimental consequences thereof, with the exception of measures taken to anonymise data or to limit the processing of same.

Data will be retained as from the detection of the event of danger or data breach, for the time necessary to notify the Authority of the data breach detected and to take the relevant remedial and security measures.

#### COMMERCIAL COMMUNICATIONS

For the purposes of marketing and commercial promotion, the data will be stored until consent is revoked, after which L.M. dei F.lli Monticelli S.p.A. will no longer use the user's personal data for such purposes, reserving the right to retain them for as long as may be necessary in the event of litigation.

L.M. dei F.lli Monticelli S.p.A. will also, on a yearly basis, verify the continuity of the newsletter subscription, proceeding to the cancellation of addresses that are inactive or no longer valid.

#### OBLIGATION OR OPTION TO PROVIDE DATA

For the data necessary for the purpose of fulfilling contractual obligations, agreements between the parties, or for the personal data required to acquire pre-contractual information activated at the request of the data subject, as well as provided for by laws, regulations and EU legislation, or provisions issued by Authorities empowered to do so by law and by supervisory and control bodies, failure to provide such data will make it impossible to establish or continue the relationship, to the extent that such data are necessary for the execution thereof.

In the event of any refusal to provide these personal data, the contract may not be fully exercised.

For data that our organisation is not obliged to know, such as information or contact data, for the purpose of following up commercial communications, the provision of such data is optional, and failure to provide them will have no consequences in the management of relations except, possibly, for not allowing the performance or personalisation of certain additional services, such as the sending of commercial communications.

#### DATA RECIPIENTS

##### SCOPE OF KNOWLEDGE WITHIN THE ORGANISATION

Processing will be carried out, primarily, by the Company's internal organisation under the direction and control of the relevant corporate functions and for the purposes indicated above, also by Group companies or third parties, as identified below.

The following categories of persons within our organisation may become aware of personal data: internal administrative and secretarial offices, accounting and invoicing staff, product and service marketing staff, employees and collaborators. All persons accessing the data are duly authorised, instructed and bound by confidentiality obligations.

##### EXTERNAL COMMUNICATION OF DATA

The data will not be circulated (e.g. by publication on the web), unless the data subject gives his or her explicit consent.

The data may be communicated to:

- public or private entities that have access by virtue of legal provisions, regulations or EU legislation, within the limits provided for by these rules (bodies, supervisory bodies, public authorities or institutions)

- Companies belonging to the Montifin Group, controlled by or associated with our Company, located in Italy or abroad;
- consultants, to the extent necessary to perform their duties in our organisation, subject to designation imposing duties of confidentiality and security
- natural or legal persons who process data for purposes auxiliary to the relationship with the Company, or who perform or provide specific services strictly functional to the performance of that relationship: data processing, logistics and postal services, Customer satisfaction surveys, legal, administrative, tax and/or accounting consultancy, organisation of trade fairs and communication events;
- commercial intermediaries, banks and credit institutions, financial intermediation companies, natural or legal persons in charge of credit recovery, auditing and/or certification of financial statements and quality systems, independent collaborators of the Company, agents and signalers, insurance companies and brokers;
- natural and/or legal persons requesting references/data for the purposes of participation in public tenders, or in the context of the execution of supply contracts with their customers by L.M. dei F.lli Monticelli srl.
- companies managing commercial information or advertising promotion

The list of such third parties will be constantly updated and accessible to you upon request to the Company.

Communication of personal data is limited exclusively to the data necessary to achieve the specific purposes for which they are intended.

#### TRANSFER OF PERSONAL DATA OUTSIDE THE EU

In the context of the performance of contractual relationships, some personal data may be transferred to recipients outside the European Union, to third companies that are part of our organisation or that provide services instrumental to the provision of our services, by virtue of the existence of links with them by electronic, computerised or mail means.

As part of the use of web services, some personal data may be transferred to recipients outside the European Union, to third companies that provide services instrumental to the provision of our services, such as digital service providers.

In these cases, the processing of data is strictly bound to the purposes for which they were collected and is carried out in strict compliance with the standards of confidentiality and security set out in the applicable data protection laws.

In particular, whenever your personal data are transferred internationally outside the territory of the EU, L.M. dei F.lli Monticelli S.p.A. will take all measures, including contractual measures, that are appropriate and necessary to ensure an adequate level of protection of your personal data in accordance with the provisions of this privacy policy, i.e. by basing the transfer on an adequacy decision or, alternatively, on the standard contractual clauses approved by the European Commission.

More information on the transfer and the agreements legitimising it can be obtained from our organisation by reaching out to the contacts given in this notice.

#### DATA SUBJECT'S RIGHTS

The data subject may exercise his or her rights at any time, pursuant to Articles 15 to 22 of Regulation (EU) 2016/679, namely to:

1. request confirmation of the existence or otherwise of their personal data being processed;

2. obtain information about the purposes of the processing, the categories of personal data processed, the recipients or categories of recipients to whom the personal data have been or will be disclosed, the period of data retention or the criteria for determining it;
3. update or rectify personal data, so that they are always accurate;
4. delete personal data when no longer necessary for the purposes of the processing, if the conditions of the law are met and the processing is not justified by any other legitimate reason;
5. restrict the processing of personal data if the conditions are met, including inaccuracy, objection to processing, unlawful processing.
6. obtain the portability of the data, where the processing is carried out on the basis of a contract and by automated means, i.e. receive them in a structured, commonly used and machine-readable format, also for the purpose of transmitting them to another data controller;
7. object to the processing at any time and also in the case of processing for direct marketing purposes or carried out by means of automated decision-making processes, including profiling;
8. withdraw consent, if given for specific processing activities. Withdrawal of consent does not affect the lawfulness of processing based on consent given prior to the withdrawal;

If Our Company does not provide a response within the timeframe provided for by the regulations or the response to the exercise of rights is inadequate, it will be possible to lodge a complaint with a Supervisory Authority, This is without prejudice to any other administrative or judicial action, and the complaint may be lodged with the Italian Data Protection Authority (in Italy [www.garanteprivacy.it](http://www.garanteprivacy.it), tel. +39 06.696771, email [urp@gpdp.it](mailto:urp@gpdp.it)). Or, if the conditions are met, including your different residence or the different Member State where the infringement took place, with the control authorities established in another EU country.

To exercise these rights, you may informally contact the Data Controller, L.M. dei F.Ili Monticelli S.p.A., whose contact details are provided at the beginning of this information notice, which will examine the issue without delay.

If L.M. dei F.Ili Monticelli S.p.A. intends to process data for purposes other than those set out in this information notice, it will inform you before doing so and obtain your consent if necessary.

## UPDATES

L.M. dei F.Ili Monticelli S.p.A. updates the internal policies and practices adopted in the protection of personal data whenever necessary and in the event of regulatory and organisational changes affecting the processing of personal data.

Any updates to this notice shall be made available in a timely manner and by appropriate means.