

Sede e stabilimento:
GROWERMETAL s.r.l.
Unipersonale
Via Nazionale, 3
23885 CALCO (LC) – Italia



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Capitale Sociale Euro 8.000.000 int. versato
Cod. Fisc./Part. IVA IT 02906980137
Iscriz. registro Imprese di Lecco N. 02906980137
R.E.A. 301601

January 2019

GDPR/PRIVACY STATEMENT SUPPLIER/CUSTOMER-NATURAL-PERSON

PURSUANT TO ART. 13 OF EU REGULATION No. 2016/679 ("GDPR")

AND

PURSUANT TO ART. 13 LEGISLATIVE DECREE D.LGS No. 196/2003 ("PRIVACY CODE")

Dear Supplier/Customer,

When regulating the right to privacy, EU Regulation No. 2016/679 (hereinafter called "**GDPR**" for the sake of simplicity) which, among other things, states that "the protection of natural persons in relation to the processing of personal data is a fundamental right", and Legislative Decree June 30, 2003 No. 196 "Personal Data Protection Code" as amended and supplemented (hereinafter called: "**Code**" for the sake of simplicity), require that the collection and processing of personal data in databanks, both electronic and on hard copy, must be preceded by the prescribed privacy statement and, when required, by the express consent of the natural person to whom the personal data refer.

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FOREWORD

To facilitate the understanding of this privacy statement, we would like to point out that:

among other things, art. 4 of the GDPR defines:

- "**personal data**" any information relating to an identified or identifiable natural person;
- "**processing**" any operation or set of operations performed upon personal data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction;
- "**data controller**" the natural or legal person, public authority, agency or any other body which alone or jointly with others, determines the purposes and means of the processing of personal data;
- "**data processor**" the natural or legal person, public authority, agency or any other body who/which processes the personal data on behalf of the Data Controller.

LAWFULNESS OF THE PROCESSING

Pursuant to art. 6 of the GDPR, processing is lawful when:

- a) the data subject has expressed his/her consent to having his/her personal data processed for one or more specific purposes;
- b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- c) processing is necessary for compliance with a legal obligation to which the data controller is subject;
- d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller;
- f) processing is necessary for the purposes of the legitimate interests pursued by the controller, except where such interests are overridden by the interests for fundamental rights and freedoms of the data subject which require protection of personal data, especially when the data subject is a minor.

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MODE OF DATA COLLECTION

The personal data are provided by you, the data subject, depending on the case:

- when a job has been assigned and/or when a contract is entered into and/or signed with Growermetal S.r.l. (hereinafter simply called: “Growermetal” or the “Company”);
- by express provision.

The data will be processed in accordance with the aforementioned regulation, its successive amendments and integrations, and with the principles of confidentiality central to all the activities of Growermetal.

CONTROLLER, PROCESSORS/SUB-PROCESSORS, EXTERNAL PROCESSORS, SYSTEM ADMINISTRATOR

With regard to the data processed by Growermetal, you are hereby informed that:

- the **Data Controller**, in accordance with the GDPR, is Growermetal S.r.l. (VAT No.: IT 02906980137- Tax ID: IT 02906980137) with registered offices in 23885 Calco (LC), Via Nazionale No.3;
- the **Data Processors**, also called **Processors** in accordance with the GDPR, and **Sub-processors** in accordance with art. 29 of the GDPR (**Processors/Sub-processors**), are the employees of Growermetal and other parties who conduct business on behalf of Growermetal by virtue of relationships that are similar and/or comparable to those of subordinate employees;
- pursuant to Technical Annex B to the Code and the regulation issued by the Data Protection Authority of November 27, 2008 (Official Gazette No. 300 of December 24, 2008) as amended and supplemented, the **System Administrator** is the party instructed by Growermetal to provide, on behalf of Growermetal, services which are instrumental to or necessary for the fulfilment of that specific assignment;
- in accordance with the GDPR, **External Processors** are third parties instructed by Growermetal to provide, on behalf of Growermetal, services which are instrumental to or necessary for the fulfilment of specific contractual and/or legal requirements;
- the data you provide will be processed for the purposes herein by employees/co-workers of Growermetal specifically appointed as Data processors/Sub-processors in accordance with the GDPR and/or by External Processors in accordance with the GDPR and/or by the System Administrator in accordance with art. 37 GDPR.

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Should you wish to exercise one of the rights you are expressly conferred by articles 15 to 22 of the GDPR, as explained below, you should write to the following e-mail address: gdpr@growermetal.it, or write, by means of registered letter with return receipt attached, to: “Growermetal S.r.l. with registered offices in 23885 Calco (LC), Via Nazionale No. 3”.

PURPOSES FOR WHICH THE PERSONAL DATA ARE PROCESSED

Processing of the data you provide is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, with the result that for this purpose, your consent to having your data processed is not necessary.

Processing of the data you provide is also necessary in order to comply with the obligations established by laws, regulations and Community legislation, as well as the civil laws and tax regulations to which the data controller, Growermetal, is subject, such as the recording of general accounts and in order to fulfil all the other requirements related to accounting and administrative management: here again, your consent to data processing is not necessary. All the data you (the data subject) provide will be processed exclusively for purposes concerning the contractual relations with Growermetal, in order to comply with the obligations established by laws, regulations and Community legislation and in order to perform certain economic/administrative activities of Growermetal; in particular: for the correct implementation and fulfilment of the existing contractual obligations; for entering vital statistics into company databases; for making statistical calculations for internal use (such as cost centres); for managing payment and takings systems; for monitoring the quality of the services supplied/provided.

DATA PROCESSING METHODS

The data are processed lawfully and fairly, using methods which are closely associated with the aforementioned purposes using tools (manual, computerized and/or web tools able to store, manage and transmit the data themselves) which ensure the security and confidentiality of the data as required by the GDPR. Processing may include personal data collection, processing, recording and/or retention.

The data will be processed in accordance with the aforementioned regulation, its successive amendments and integrations, and with the principles of confidentiality central to all the activities of Growermetal.

Collected in dedicated databases, the data are stored on servers available to Growermetal, situated in the offices of this latter in 23885 Calco (LC), Via Nazionale No. 3.

Your personal data are processed exclusively for the period of time strictly required for the aforementioned

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purposes, i.e. for fulfilling the legal and contractual obligations connected to the business relations and, in any case, for no longer than the period established by the laws in force, without prejudice to the record-keeping requirements laid down in the regulations. In accordance with the personal data processing legislation, specific security measures will be implemented to prevent the data from being lost, used unlawfully and/or incorrectly and/or to prevent unauthorized access to the databases or information systems of the company.

MANDATORY OR OPTIONAL NATURE OF DATA PROVISION AND THE CONSEQUENCES OF REFUSAL

Provision of your personal data is optional. However, refusal to provide such data or part of them for the aforementioned purposes may result in the inability of Growermetal to supply or furnish all the activities required for correct fulfilment of its contractual obligations with you, as well as the legal requirements.

By signing this document, you undertake to promptly notify us of any corrections, integrations and/or updates.

COMMUNICATION AND DISSEMINATION

Your data will not be disclosed. However, your data may be communicated by Growermetal for the aforementioned purposes to third parties instructed to provide, on behalf of Growermetal, services which are instrumental to or necessary for the correct fulfilment of the contractual and/or legal requirements. These third parties are:

- all parties whose right to access such data is acknowledged by virtue of legislative measures (such as INPS (Social Security Institute), INAIL (National Insurance Institute for Industrial Accidents), etc.);
- co-workers and/or employees of Growermetal, specifically appointed as Data Processors/Sub-processors;
- services-providing companies for administrative/business management, specifically appointed as External Processors;
- services-providing companies such as canteens or transport providers, hotels, specifically appointed as External processors;
- law firms and accounting firms, specifically appointed as External Processors;
- banks and insurance companies, specifically appointed as External Processors.

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RIGHTS OF THE DATA SUBJECT

In accordance, and within the limits and terms established by the personal data protection legislation concerning the rights of data subjects as laid down in arts. 15-22 of the GDPR, with regard to the processing covered by this Privacy statement you, as data subject, may exercise specific rights, which include: the right to obtain confirmation as to whether or not your personal data are being processed, the right to access personal data which concern you and, in relation to such data, the right to have the personal data rectified, erased, the right to have such rectifications and erasures notified to those parties to whom the data have been transmitted, the right to restriction of processing in the cases specified in the regulation, portability of the personal data you have provided in the cases specified in the regulation, the right to object to decisions which concern you if based solely on the automated processing of your data, profiling included. Pursuant to art. 77 of the GDPR, you are entitled to lodge a complaint with the Data Protection Authority if you consider that the data processing which concerns you infringes the rules established in the aforementioned GDPR.

By written request to the Data Controller, Growermetal, to be sent to the following e-mail address: gdpr@growermetal.it, you may obtain the form entitled “GDPR&Privacy - Data Subject's Rights”, which should be filled out in the pertinent parts and sent back to the following e-mail address: gdpr@growermetal.it, duly signed and with an identity document included. You may exercise your rights in relation to the data controller at any time, as indicated in detail in the Growermetal website (www.growermetal.it).