

ANNEX 6

PRIVACY NOTICE FOR SUPPLIERS

1. Introduction

The Buyer, as defined in the contractual Terms & Conditions ("Termini e Condizioni Generali per la fornitura di beni e/o servizi") to which this Privacy Notice is attached, with registered office in Milano, Via Roberto Lepetit no. 8, and which can be contacted at the email address privacy.italia@edpr.com, will process personal data provided by the supplier (in case of natural person and individual company) or, otherwise, of its shareholders, employees or collaborators (the "**Supplier**") with regard to the contract with the Supplier or, otherwise, acquired by the Buyer in the context of the contractual relationship, including the pre-contractual phase (the "**Contract**").

2. What and Who This Privacy Notice Covers?

The Buyer is the data controller of the personal data collected from the Supplier in the execution of the Contract that is processed in compliance with the terms of this privacy notice (the "**Privacy Notice**") and the relevant provisions of law. Accordingly, this Privacy Notice applies to all Suppliers.

3. What Kind of Personal Data Does the Buyer Collect About the Supplier?

The Buyer collects the following categories of personal data:

- name, surname, contact details,
- VAT number and Fiscal Code,
- financial data and code SDI for the electronic invoice;
- in the event that the object of the Contract concerns works or services for which it is necessary - pursuant to the applicable legislation - to verify the suitability of the subjects who perform their activities under the Contract, the certificates relating to the suitability for the work of these subjects who may also include data relating to their state of health [*]

(hereinafter jointly referred to as "**Personal Data**").

The Personal Data listed above include particular categories of personal data referred to in Article 9 of the General Regulation on the processing of personal data 679/2016 / EU (hereinafter the "**Privacy Regulation**"), which are collected and processed by the Company only where strictly relevant and necessary for the pursuit of the purposes referred to in section 3 below and exclusively in the event that these purposes cannot be achieved through the processing of anonymous or different personal data. In particular, only the Personal Data relating to the certification of the psycho-physical adequacy of workers to perform certain tasks will be processed by the Company - which may include information on the state of disability, infirmity, exposure to risk factors, belonging to certain protected categories of workers themselves - and, in any case, only where such treatment is necessary to fulfill the obligations of the Company regarding labor law and social security and protection and within the limits of the provisions of the applicable law pursuant to art. 9, paragraph 2, letter b) of the Privacy Regulation.

4. How Does the Buyer Use the Supplier's Personal Data?

The Buyer processes the personal data of the Supplier for the following purposes:

- a) the execution of the obligations as resulting from the Contract;
- b) the compliance with the applicable national/EU laws (including antifraud laws and money laundering laws) and/or respond to request from public and government authorities;

(the purposes as per letters a) and b) are jointly referred to as "**Contractual Purposes**")

- c) exercising or defending legal claims in court proceedings or in an administrative or out-of-court procedure, also with regard to credit recovery procedures and credit assignment to authorized companies, also by means of third parties;
- d) complete a potential merger, sale of assets or transfer of all or a material part of its business, by disclosing and transferring the Supplier's personal data to the third party or parties involved in the transaction as part of the transaction;

(the purposes as per letters c) and d) are jointly referred to as "**Legitimate Interest Purposes**").

5. On What Legal Basis Does the Buyer Process the Supplier's Personal Data?

The processing of the Supplier's personal data is necessary with regard to the Contractual Purposes as it is essential:

- for the performance of the Contract with regard to the cases as per Section 4 letter a);
- in order to comply with provisions as provided by the applicable laws as per Section 4 letter b).

Should the Supplier not provide its personal data with regard to the Contractual Purposes, the Buyer will not be able to execute the Contract with the Supplier.

The processing of the Supplier's personal data with regard to the Legitimate Interest Purposes is carried out pursuant to article 6, letter f) of the EU General Data Protection Regulation No. 679/2016 (the "**GDPR**"), for the pursuit of the Buyer's legitimate interest, which is adequately balanced with the Supplier's interest since the data processing is performed within the limits strictly necessary to perform such economic activities. This data processing activity with regard to the Legitimate Interest Purposes is not mandatory and the Supplier can object to the data processing at any time through the modalities as per Section 10 of this Privacy Policy. In such case no data processing will be carried out by the Buyer, except in case where the Buyer demonstrates the existence of compelling legitimate grounds for the processing or for the establishment, exercise or defense of legal claims.

6. How Does the Buyer Process the Supplier's Personal Data?

Supplier's personal data will be processed both electronically and/or manually, in any case in such a way as to guarantee the security, protection and confidentiality of the data, thanks to appropriate administrative, technical, personnel and physical measures against loss, theft and unauthorized use, disclosure or modification.

7. Who Can Have Access to the Supplier's Personal Data?

For the Contractual Purposes, the Supplier's personal data may be transferred to the following categories of recipients located both within the EU:

- a) third parties service providers entrusted with processing activities that provide services or assistance and advice to the Buyer, with special - but not exclusive - reference to technology, accounting, administrative, legal, insurance, IT matters;
- b) companies of the Buyer's Group; and
- c) persons and authorities whose right to access personal data is recognized by law, regulations or provisions issued by legally empowered authorities.

For the Legitimate Interest Purposes, personal data may be transferred to the following categories of recipients located both within the EU:

- a) third parties service providers entrusted with processing activities that provide services or assistance also with reference to credit recovery procedures and credit assignments;
- b) companies of the Buyer's Group;
- c) potential purchaser of the Buyer and the entities resulting from mergers or any other transformation involving the Buyer; and

- d) competent authorities.

The abovementioned recipients will process personal data as data controllers, data processors or persons in charge of processing, depending on the circumstances.

A complete list of the data processor is available upon request through the modalities as per Section 10 below.

8. Is the Supplier's Personal Data Transferred Abroad?

The Supplier's personal data will not be transferred to countries outside the European Economic Area. In case the Buyer transfers the Supplier's personal data from EU to countries not considered adequate by the European Commission, the Buyer has put in place appropriate and suitable safeguards to protect the Supplier's personal data. Accordingly, the Supplier's personal data are transferred in compliance with the requirements and the obligations provided by applicable data protection laws, such as standard contractual clauses adopted by the European Commission as per Articles 45 and 46 of the GDPR.

For further information with regard to the appropriate or suitable safeguards and the means by which to obtain a copy of them, the Supplier can contact the Buyer with the modalities as per this Privacy Notice.

9. Which Is the Retention Period Applying to the Supplier's Personal Data?

Personal data of the Supplier will be stored for the period necessary to fulfil the purposes for which the personal data was collected as outlined in this Privacy Notice. In any case personal data collected for Contractual Purposes and for Legitimate Interest Purposes is retained during the provision of the services plus a period of 10 years after the termination or withdrawal from the Contract, except when the detention of personal data is necessary to respond or to file a legal action, upon request of the competent authorities or in compliance with the applicable laws.

10. What Are the Supplier's Rights With Regard to Personal Data?

The Supplier, at any given time, can exercise the following rights, by sending an email to the following address privacy.italia@edpr.com to obtain from the Buyer confirmation of the existence of personal data and to be informed of its content and source, verify its accuracy and request its integration, update or amendment;

- a) request the erasure, anonymisation or restriction of the processing of personal data processed in breach of the applicable laws;
- b) object in whole or in part to the processing of personal data performed on the basis of legitimate interest, except in case where the Buyer demonstrates the existence of compelling legitimate grounds for the processing or for the establishment, exercise or defense of legal claims;
- c) to withdraw the consent to the processing of personal data (if and to the extent such a consent is necessary);
- d) request the Buyer to limit the processing of the Supplier's personal data where:
 - the Supplier contests the accuracy of personal data until the Buyer have taken sufficient steps to correct or verify its accuracy;
 - the processing is unlawful but you do not want us to erase the Suppliers' personal data;
 - the Buyer no longer needs the Supplier's personal data for the purposes of the processing, but the Supplier requires them for the establishment, exercise or defence of legal claims; or
 - the Supplier has objected to processing justified on legitimate interests, pending verification as to whether the Buyer has compelling legitimate grounds to continue processing.
- e) object to the processing of the Supplier's personal data;
- f) request the erasure of the Supplier's personal data without undue delay;
- g) receive an electronic copy of the Supplier's personal data, if the Supplier would like to port its personal data to itself or a different provider, when the Buyer is relying upon the Supplier's consent or the fact that



- the processing is necessary for the provision of the Services and the personal data is processed by automatic means; and
- h) lodge a complaint with the relevant data protection supervisory authority.

11. Updates

This Privacy Notice is valid from the date of effectiveness below. However, the Privacy Notice might be subsequently updated or integrated, also as consequence of the adoption of local legislations implementing the GDPR. Changes will be notified in advance and in any case Suppliers will be able to review the updated version of the privacy information notice on the website www.edpr.com.

March 27th 2020