

PRIVACY NOTICE FOR INDIVIDUAL CLIENTS AND INDIVIDUAL ENTREPRENEURS

PROMOSFERA S.R.L.

(pursuant to Regulation (EU) 2016/679 – GDPR)

This privacy notice is provided by Promosfera S.r.l., with registered office in Casorate Sempione (VA), Via XXV Aprile 56, 21011, VAT no. 02250050024, acting as Data Controller (hereinafter, “Promosfera” or “the Company”).

For any matter relating to the processing of personal data, Promosfera may be contacted at the following email address: info@promosfera.com, tel. 338 3100115.

1. SUBJECT MATTER OF THE PROCESSING

This privacy notice concerns the personal data of natural persons or individual entrepreneurs who enter into contractual or pre-contractual relationships with Promosfera, or who contact the Company to request quotations or information.

The data are processed for the management of the contractual relationship, for compliance with legal obligations, and for the protection of the Data Controller’s rights.

2. TYPES OF DATA PROCESSED

Promosfera processes only ordinary personal data, including:

- personal and identification data (name, surname, tax code, address, date and place of birth);
- contact details (telephone number, email address, certified email address, if any);
- tax and banking data (IBAN, payment details);
- any data contained in contractual documents, information requests or correspondence with Promosfera.

No special categories of data within the meaning of Article 9 GDPR (health, genetic, biometric, religious, political or trade-union data) nor judicial data within the meaning of Article 10 GDPR are processed.

3. PURPOSES AND LEGAL BASIS OF THE PROCESSING

Personal data are processed for the following purposes:

- performance and management of contractual or pre-contractual relationships with the data subject (Art. 6(1)(b) GDPR);
- compliance with legal, accounting and tax obligations to which Promosfera is subject (Art. 6(1)(c) GDPR);
- protection of the Data Controller's rights in judicial or out-of-court proceedings (Art. 6(1)(f) GDPR – legitimate interest);
- sending of informative or promotional communications relating to Promosfera's own initiatives, only with the data subject's explicit consent (Art. 6(1)(a) GDPR).

4. PROCESSING METHODS

Personal data are processed using electronic and paper tools, in compliance with the principles of lawfulness, fairness, transparency, minimisation and security laid down by the GDPR.

Access to the data is granted only to authorised personnel in the Administration, Management, IT and Project Management areas, as well as to external entities appointed as Data Processors pursuant to Article 28 GDPR.

Promosfera applies appropriate technical and organisational security measures, including: multi-factor authentication for server access, antivirus and firewall systems, regular backups, access control to premises, and storage in locked cabinets.

5. DATA DISCLOSURE

Personal data may be disclosed, strictly within the limits necessary for the purposes stated above, to:

- tax and legal consultants, accountants and labour consultants;
- IT providers and cloud service providers (Microsoft, Foreach S.r.l., Keliweb, etc.);
- banking institutions for payment management;
- public authorities and administrative bodies, where required by law;
- technical partners and companies appointed for managing prize promotions, designated as Processors or Sub-processors.

The updated list of external Data Processors is available upon request at the address provided above.

6. TRANSFERS OF DATA TO THIRD COUNTRIES

Some IT service providers (e.g., Google, Microsoft) may carry out processing operations involving the transfer of data to third countries.

Such transfers are carried out in compliance with Articles 44 et seq. GDPR, based on the European Commission's Adequacy Decision of 10 July 2023 (Data Privacy Framework) or, where not applicable, under the Standard Contractual Clauses (SCCs) approved by the European Commission.

7. MANDATORY NATURE OF DATA PROVISION

Providing the personal data indicated above is mandatory for the establishment, management and continuation of the contractual relationship, as well as for compliance with legal obligations.

Failure to provide the data makes it impossible to perform the contract or provide the requested services.

Provision of data for marketing purposes is optional and subject to the data subject's explicit consent.

8. DATA RETENTION

Personal data are retained for the following periods:

- for the entire duration of the contractual relationship;
- for 10 years after termination of the relationship, for civil, tax and evidentiary purposes;
- for marketing purposes, until the withdrawal of consent by the data subject.

At the end of the retention periods, the data are erased through a simple deletion procedure from IT systems and paper archives.

9. DATA SUBJECT RIGHTS

With regard to the processing of the aforementioned data, the Client – as data subject – has the right to obtain from the Data Controller, in the cases provided for, the following:

- confirmation of the existence of their personal data and access to such data (Art. 15 GDPR);
- rectification or supplementation of inaccurate or incomplete data (Art. 16 GDPR);
- erasure of data (“right to be forgotten”) or restriction of processing (Arts. 17 and 18 GDPR);
- notification to recipients of any rectification, erasure or restriction (Art. 19 GDPR);
- data portability in a structured format (Art. 20 GDPR);
- withdrawal of consent, if previously given, at any time (Art. 7(3) GDPR);

- the right to object to processing for legitimate reasons (Art. 21 GDPR);
- the right not to be subject to automated decision-making, including profiling (Art. 22 GDPR).

To exercise these rights, the data subject may write to privacy@promosfera.com.

The data subject also has the right to lodge a complaint with the Italian Data Protection Authority (Piazza Venezia 11, 00186 Rome – www.garanteprivacy.it – garante@gpdp.it) or to bring proceedings before the ordinary courts.

10. AUTOMATED DECISION-MAKING

The Data Controller does not make use of automated decision-making processes, including profiling, pursuant to Article 22 of Regulation (EU) 2016/679.

Any assessments connected with contractual relationships or client selection are made with direct human involvement.

11. CHANGES TO THIS PRIVACY NOTICE AND PRESUMPTION OF AWARENESS

Since data protection regulations are constantly evolving, this privacy notice may be subject to changes or updates, which will be communicated through publication or direct notification.

It is in any case presumed that the most up-to-date version of the notice is known.

Promosfera S.r.l.