












**PRIVACY POLICY - CUSTOMERS**






*Information notice pursuant to Art. 13 of EU Regulation 2016/679 ("GDPR") and art. 130 of national Privacy Code*

	<p><b>1.WHO IS THE DATA CONTROLLER? HOW CAN I CONTACT HIM?</b>                  The Data Controller is <b>RS S.r.l.</b>, with registered office in Via Monte Santo, 37 – 20831 Seregno (MB), in person of its legal representative whom you can reach out to for any requirements by calling to: <b>0362266.1</b> or writing to: <a href="mailto:privacy@gruppodesa.com">privacy@gruppodesa.com</a></p>
	<p><b>HAS THE DATA PROTECTION OFFICER BEEN APPOINTED? HOW CAN I CONTACT HIM?</b>                  RS S.r.l. has appointed its Data Protection Officer (DPO) in accordance with Articles 37, 38, and 39 of the GDPR. The DPO can be reached out at the registered office mentioned above and via email writing to: <a href="mailto:dpo.gruppodesa@dpoprofessionalservice.it">dpo.gruppodesa@dpoprofessionalservice.it</a></p>
	<p><b>2.MAIN DEFINITIONS</b>                  We remind you art. 4 GDPR sets the following definitions out:  <b>Personal data:</b> any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can directly or indirectly be identified, in particular by reference to an identifier such as a name, an identification number, a location data, an online identifier or to one or more specific factors to the physical, physiological, genetic, mental, economic, cultural or social identity.  <b>Contractor/User Data.</b>                  - "contractor", any natural person, legal person, body or association being part of a contract with a provider of electronic communications services accessible to the public for the provision of such services, or in any case recipient of such services via prepaid cards;                  - «user», any natural person employing an electronic communications service accessible to the public, for private or commercial reasons, with no necessary and prior subscription.</p>

**3. PURPOSES OF PROCESSING, LEGAL BASIS, DATA RETENTION, NATURE OF CONFERRAL**

	 <b>PURPOSE OF PROCESSING</b>	 <b>LEGAL BASIS</b>	 <b>DATA RETENTION</b>	 <b>NATURE OF CONFERRAL</b>
A)	Processing aimed at <b>fulfilling contractual and precontractual obligations</b> , legal obligations and administrative/accounting purposes relate to the execution or the ceasing of contract.	The processing is necessary for the performance of a contract (C44) Art. 6 par. 1 lett. b) GDPR	10 years pursuant to Art. 2220 Civil Code, except from the necessary time required by law in relation to contractual and non-contractual issues that may arise	Data conferral is required due to a contractual relationship.  The lack of conferral will prevent the contractual obligation to arise between parties
B)	<p><b>Direct marketing, automated mean "soft-spam" via e-mail:</b> the data controller will use, for the purpose of direct sale of its own products or services, the email address provided by the data subject in the context of the sale of a product or service, without requiring any prior consent from the data subject, for promotional and commercial communications and newsletters relating to services similar to those already sold, and the data subject, where adequately informed, does not refuse, initially or on subsequent occasions. The data subject, at the time of collection and upon each communication he might receive, is informed of his right to object at any time to the processing.</p> <p>In order to compare and possibly improve the results of automated communications, the Data Controller does make use of</p>	The processing is necessary due to Data controller's legitimate interest, provided that interests or fundamental rights and freedoms of data subjects are not prevailing (C47-C50) Art. 6 PAR. 1 lett. f) GDPR Art. 130.4 D.Lgs. 196/2003.	Until objection (or opt-out)	Data conferral is necessary due to the legitimate interest of data controller. The data subject has the right to object to the processing at any time without prejudice to other processing purposes. In case the data subject will not receive direct marketing communications via e-mail (soft-spam).

	 <b>PURPOSE OF PROCESSING</b>	 <b>LEGAL BASIS</b>	 <b>DATA RETENTION</b>	 <b>NATURE OF CONFERRAL</b>
	reports. Thanks to these latter, the controller will be able to discover: the number of readers, of openings and unique "clickers"; the device and the operating systems requesting contents; details on the activity of individual users; the detail of sent, delivered or forwarded e-Mails.			
<b>C)</b>	<b>Disputes prevention and management of other legal aspects</b> relating to the defence in case of labour disputes judgment	Data controller's legitimate interest, provided that interests or fundamental rights and freedoms of data subjects are not prevailing (C47-C50) Art. 6 PAR. 1 lett. f) GDPR	10 years, except from objection and for the necessary time in case of judgment	The provision of data is mandatory. In case of lack, the data the Data Controller would not achieve his legitimate interest as stated for in this purpose. The refusal shall be balanced with the aforesaid data controller's legitimate interest
<b>D)</b>	<b>Management of data subjects' requests, pursuant to art. 15 and following GDPR</b> (data subjects' rights)	The processing is necessary to comply with a legal obligation the data controller is liable to (C45) Art. 6 par. 1 lett. c) GDPR	5 years after closure, except from lawsuits	Data conferral is mandatory, being indispensable to grant the fulfilment of any legal obligations
<b>E)</b>	<b>Planning and control</b> aimed at managing the achievement of objectives and detecting any deviations through specific indicators. To implement any appropriate corrective actions the responsible bodies will consider to validate	Data controller's legitimate interest, provided that interests or fundamental rights and freedoms of data subjects are not prevailing. (C47-C50) Art. 6 PAR. 1 lett. f) GDPR	Up to 10 years, unless objection	The provision of data is necessary. In case of lack, the data the Data Controller would not achieve his legitimate interest as stated for in this purpose. The refusal shall be balanced with the aforesaid data controller's legitimate interest
<b>F)</b>	<b>Management of information flows provided by the Organizational, Management, and Control Model (OMCM)</b> adopted pursuant to Legislative Decree 231/2001 aimed at preventing corporate liability for administrative offenses arising from crimes. In particular, data will be collected to enable the Supervisory Body to oversee the operation and compliance with the OMCM.	The processing is necessary to comply with a legal obligation the data controller is liable to (C45) Art. 6 par. 1 lett. c) GDPR	10 years from reporting closure, subject to the time provided by law regarding contractual and extra-contractual issues that may arise.	The provision of personal data is mandatory as it is necessary to fulfil legal obligations (art. 6, paragraph 2, Legislative Decree 231/2001).

	<p><b>4. TO WHOM WILL PERSONAL DATA BE DISCLOSED? RECIPIENTS OF DATA</b></p> <p>Personal data will not be disseminated. All the personal data may be disclosed to recipients acting as autonomous Data controllers or Data Processors (art. 28 GDPR) and processed by persons appointed to, pursuant to art. 29 GDPR and acting under the authority of the controller or the processor, upon written letter of authorizations relating to purposes and means of processing. Personal data may be disclosed to recipients belonging to the following categories:</p> <ul style="list-style-type: none"> <li>• group companies;</li> <li>• Subjects providing services for the management of the information system and telecommunications networks (including e-mails services, websites, platforms) the data controller does employ (occasionally or not);</li> <li>• Public bodies to whom send mandatory communications pursuant to any accounting/tax legislation</li> <li>• Banks and equivalent institutions;</li> <li>• Subjects the Data Controller has entered into economic agreements with;</li> <li>• Firms or Companies, in the context of tax assistance and consultancy as well as administrative/accounting management relationships;</li> <li>• Entities and members of the Supervisory Body pursuant to Legislative Decree 231/2001;</li> <li>• Subjects providing Audits and ISO or other certifications;</li> <li>• For direct marketing to individuals for the management of marketing activities and communications;</li> <li>• Competent authorities fulfilling legal obligations, upon request.</li> </ul> <p>The complete listing of Data Processors pursuant to art. 28 is available writing to <a href="mailto:privacy@gruppodesa.com">privacy@gruppodesa.com</a></p>
	<p><b>5. IS THERE A DATA TRANSFER TO A COUNTRY OUTSIDE THE EEA?</b></p> <p>Personal data will not be transferred to third countries outside the EEA.</p>
	<p><b>6. IS THERE AN AUTOMATED PROCESS?</b></p> <p>Personal data will be subjected to traditional and manual, electronic or automated processing. Fully automated decision-making processes are not carried out.</p>
	<p><b>7. DATA SUBJECTS' RIGHTS</b></p> <p>Data subjects may assert their rights as expressed in Articles 15 GDPR and following contacting the DPO/RPD at the email address: <a href="mailto:dpo.gruppodesa@dpoprofessionalservice.it">dpo.gruppodesa@dpoprofessionalservice.it</a> or reaching out the Data Controller at: <a href="mailto:privacy@gruppodesa.com">privacy@gruppodesa.com</a>, or writing to the contact details provided above.</p> <p>The Data Controller ensures data subjects the possibility to request, at any time, access to their personal data (Article 15), rectification (Article 16), erasure of the same (Article 17), and restriction of processing (Article 18). The Data Controller communicates (Article 19) any rectifications, erasures, or restrictions of processing to each recipient to whom the personal data has been disclosed. The Data Controller informs the data subjects upon their request about such recipients.</p> <p>The Data Controller ensures the right to data portability (Article 20) and, in the event of requests under Article 20, will provide data subjects with the data in a structured, commonly used, and machine-readable format.</p> <p>Data subjects are entitled the right to object (Article 21) at any time to the processing of data based on legitimate interest or the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, by writing to the above contacts with the subject 'objection.' In the case of exercising the right to object to processing based on legitimate interest, the Data Controller acknowledges the data subjects to obtain, upon request, information about the balancing test performed.</p> <p>To no longer receive automated direct marketing communications (via email), Data subjects are invited to send an email to the address <a href="mailto:privacy@gruppodesa.com">privacy@gruppodesa.com</a> with the object 'unsubscribe from automated' or to use the automatic cancellation systems provided for email only (opt-out).</p> <p>If data subjects believe that the processing of personal data by the Data Controller violates any provision of UE Regulation 2016/679, they are free to lodge a complaint with the national supervisory authority, especially in the Member State where they habitually reside or work, or where the violation occurred (Italian Data Protection Authority - <a href="https://www.garanteproperty.it/">https://www.garanteproperty.it/</a>), or to take appropriate legal action.</p>
	<p><b>8. AMENDMENTS TO INFORMATION NOTICE</b></p> <p>The Data Controller retains the right to modify, update, add or remove some parts of this notice at any time.</p>