



INFORMATION AND CONSENT ON THE PROCESSING OF PERSONAL DATA PURSUANT TO ART. 13 OF THE EUROPEAN REGULATION N°2016/679 AND SS.MM.II. AND LEGISLATIVE DECREE NO. 196/2003 AS AMENDED BY LEGISLATIVE DECREE NO. 101/2018

European Regulation no. 2016/679 on the protection of personal data (hereinafter the 'EU Regulation') and Legislative Decree no. 196 of 30 June 2003 'Personal Data Protection Code' (hereinafter the 'Code'), as amended by Legislative Decree 101/2018, provide for the right to the protection of personal data and guarantee its processing in compliance with the fundamental rights and freedoms, as well as the dignity of the data subject, with particular reference to confidentiality and security, personal identity and the right to protection of personal data.

MOTION ITALIA S.p.A., in its capacity as **Data Controller**, pursuant to and for the purposes of Article 13 of EU Regulation no. 2016/679, hereby informs you that the personal data you provide will be processed in a relevant and transparent manner and in compliance with the principles of lawfulness and necessity, in accordance with the relevant provisions in force.

- A. **CATEGORIES OF DATA:** the object of the processing may be your personal data such as identification data (e.g. first name, surname, age, sex, place and date of birth, private address, tax code, bank and payment references), contact data (telephone number and email address), company data (referring to the legal representative of supplying companies, employees, collaborators and their email addresses).
- B. **DATA CONTROLLER:** The data controller is MOTION ITALIA S.P.A., in the person of its pro-tempore legal representative, with registered office in Forlì (FC), Via Biondini, 27, operational headquarters in Forlì (FC), Via Navicella, 26, Tax Code and VAT number IT02602600401, PEC: comunicazioni@pec.motionitalia.com E-mail address: info@motionitalia.com.
- C. **SOURCE OF PERSONAL DATA:** The personal data held by the Data Controller are collected directly from the supplier.
- D. **PURPOSE OF DATA PROCESSING AND LEGAL BASIS:** Personal data are processed by the Data Controller for the following purposes:

1. Mandatory purposes connected with the management of the contractual/pre-contractual relationship and the fulfilment of legal obligations.

The processing of personal data will concern the identification and contact data of the Supplier with whom Motion has established a relationship in order to ensure the provision of the service or the performance of the activity involving the Supplier.

Personal data will be processed for the following purposes

- a) fulfilment of all obligations arising from the law;
- b) performance of operations strictly connected and instrumental to the initiation of contractual relations, including the acquisition of information prior to the conclusion of the Contract
- c) management of activities with the Supplier for administration, accounting, orders, shipments, invoicing, services, management of any litigation;
- d) possible evaluation of the Supplier on the basis of ISO 9001:2015 specifications, Legislative Decree 196/03 and EU Regulation 2016/679.

The legal basis that allows the processing of the data referred to in point 1 is the performance of the contract to which the Supplier is a party or the performance of pre-contractual activities or the fulfilment of legal obligations.

- E. **RECIPIENTS OF THE DATA:** Within the limits pertinent to the purposes, your data may be communicated to various recipients including professionals and other structures appointed, in their capacity as external data processors, for the proper keeping of accounts and for all accounting and management fulfilments connected with the business activity, to public and private entities as required by law; to parties functional to the achievement of the purposes set out above, internal and external to the Data Controller, such



as, but not limited to, collaborators, freelance professionals, insurance companies, insurance brokers, law firms, technical partners, banking institutions for collections or payments; to parties whose activities are necessary for the execution of contracts to which you are a party or to fulfil specific requests (e.g. carriers, suppliers of goods and services, subcontractors, factoring companies, financial intermediaries, companies that provide commercial information, mail delivery companies), companies operating in the IT sector (Data Centres, Cloud Providers, companies that provide IT services such as cloud services, back-up and/or management and maintenance of equipment and software); companies for the management of data security and confidentiality; to all subjects to whom the communication is due by virtue of legal and/or contractual obligations.

Your personal data may be disclosed to the company's employees and/or collaborators specifically appointed and/or authorised to process them pursuant to EU Regulation No. 2016/679 and Article 2-quaterdecies of the Privacy Code following the amendments made by Legislative Decree 101/2018.

Your personal data may also be disclosed to any parties to whom the Data Controller should entrust outsourced activities specifically appointed as external data controllers pursuant to Article 28 of the EU Regulation or to autonomous Data Controllers for the purposes referred to in point D.

The data may also be communicated to companies controlled or participated by the Data Controller for the performance of Intercompany services for the sole purposes indicated in point D1.

All processing carried out by third parties will be duly authorised by the Data Controller itself and will take place in compliance with security and privacy regulations.

Your personal data will not be disclosed, unless required by a law or regulation or by Community legislation.

F. TRANSFER OF DATA TO THIRD COUNTRIES: The data may be transferred to companies in which Motion Italia S.p.A. has a shareholding based in Third Countries for the sole purposes set out in point D1. In the event that the collected data is transferred to non-European third countries, the transfer will be regulated by virtue of an adequacy decision of the Commission or in the presence of adequate contractual or pactual guarantees, including binding corporate rules and standard contractual clauses for the protection of personal data, in order to fulfil the purposes set out above or in the presence of your consent pursuant to art. 49, par. 1, letter a).

G. PERIOD OF STORAGE: The data collected will be retained for a period of time not exceeding the achievement of the purposes for which they are processed ('principle of limitation of storage', Art. 5, GDPR) or in accordance with the deadlines provided for by law. The data will be kept for as long as necessary for the purposes for which it was collected and for the management of the contractual obligations on which the processing is based, as well as for the fulfilment of accounting and tax purposes in accordance with the law and in any case no longer than 10 years from the end of the relationship between the parties.

H. RIGHTS OF THE INTERESTED PARTY: At any time you may contact the Data Controller, MOTION ITALIA S.P.A., in the person of its pro-tempore legal representative, with registered office in Forlì (FC), Via Biondini, 27, operational headquarters in Forlì (FC), Via Navicella, 26, Tax Code and VAT no. IT02602600401, PEC: comunicazioni@pec.motionitalia.com E-mail address: info@motionitalia.com to exercise your rights, in accordance with the provisions of Articles 15 to 21 of the GDPR, in particular, to exercise the right to

- a) request access to personal data
- b) obtain information about the purposes of the processing, the categories of personal data, the recipients or categories of recipients to whom the personal data have been or will be communicated and, when possible, the storage period
- c) obtain rectification or erasure of the data;
- d) obtain the restriction of processing



- e) obtain portability of the data, i.e. receive them from a data controller, in a structured, commonly used and machine-readable format, and transmit them to another data controller without hindrance
- f) to object to the processing at any time and also in the case of processing for direct marketing purposes;
- g) object to automated decision-making concerning natural persons, including profiling;
- h) request from the data controller access to and rectification or erasure of personal data or restriction of processing concerning him/her, or to object to the processing thereof, in addition to the right to data portability
- i) withdraw consent at any time without prejudice to the lawfulness of the processing based on the consent given before the revocation;

We remind you that you have the right to lodge a complaint with the Privacy Guarantor, in case you consider that the processing of your personal data is in breach of the Regulation.

The aforementioned rights may be exercised by means of a written request to be sent by P.E.C. to the aforementioned address or by registered letter with advice of receipt to MOTION ITALIA S.P.A. with registered office in Forlì (FC), Via Biondini, 27, and operative office in Forlì (FC), Via Navicella, 26.

Without prejudice to what has been expressed so far, we remind you that the above rights may also be exercised by anyone who has an interest of their own, or acts on your behalf, as your representative, or for family reasons worthy of protection, pursuant to Article 2-terdecies of Legislative Decree 101/2018.

I. NATURE OF THE PROVISION OF DATA: For the purposes set out in points D above, the provision of personal data is a mandatory requirement for the establishment and management of the contractual relationship with the Supplier. Failure to provide the data will not allow the establishment or continuation of the contractual relationship and will make it impossible to fulfil the request for supply and/or service.

DATA PROCESSING METHODS: The personal data you provide will be processed in compliance with the aforementioned regulations and with the confidentiality obligations that inspire the Controller's activity. The data will be processed both by computer and on paper or any other suitable support, in compliance with the appropriate technical and organisational security measures provided for by the GDPR.

UPDATE OF THE DOCUMENT: The Data Controller reserves the right to update this policy on the basis of changes in regulatory, organisational or technological conditions. The updated version of the notice will be available on the company website.

Signature of the Data Controller

 **MOTION S.p.A.**
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