

INFORMATION ON DATA PROCESSING IN ACCORDANCE WITH ART. 13 AND 14 GDPR (GENERAL DATA PROTECTION REGULATION – REG. EU 16/679)

We wish to inform you about the processing of your personal data and your entitlements and rights under data protection Regulation EU 16/679 (“GDPR” in the following).

1. Data Controller

The Data Controller is the following company: Mitan Telematica S.r.l., VAT IT07607810152 with Establishment – (according to GDPR - Art. 4) – at Via Candoglia 11/a Milano, Tel.: +39-026624031, Fax:+39-026468813, email: mitan.telematica@mitan.it

2. Data Protection Officer (DPO)

The Data Controller has appointed the Data Protection Officer (DPO). DPO is fully available to provider data subjects with any request in line with GDPR – Art. 38 (4) and Data Protection Local Authority according to GDPR – Art. 39.

DPO can be contacted here: dpo.gdpr@mitan.it or dpo.gdpr@pec.mitan.it.

3. Purposes of Processing

Personal Data will be processed in order to achieve following purposes:

- a) any steps related to commercial and pre-commercial contracts,
- b) deployment of products and services according to signed contracts (including, eventually warranty on products and maintenance services),
- c) to fulfill various financial and legal obligations, according to Italian laws and any EU Regulation on the matter,
- d) to elaborate market research including feedback collection (based on e-mail, sms or call performed by person in charge) from customers, with the aim to improve Data Processor’s services or to advertise on new Data Processor’s products/services,
- e) provision of information according to Authorities’ request (including those from Telco providers of which Data Controller could avail), to prevent fraudulent behavior or to perform activities according to GDPR-Art.2 (2).

4. Categories of Personal Data

According to GDPR – Art.4, the Data Processor could process following Personal Data’s Categories:

- a) personal data (Name, Surname, Fiscal Code, Telephone Number at work, Business email) of the Customer’s Legal Representative, for purposes 3a), 3b) , 3c) e 3d) detailed on the above Section 3),
- b) identification data (e.g. I.D. or Passport copy) of Customer’s Legal Representative, for purposes 3a), 3b) e 3c) detailed on the above Section 3),
- c) personal data (Name, Surname, Fiscal Code, Telephone Number at work, Business email) of the Customer’s employees or staff, for purposes 3a), 3b) e 3c) detailed on the above Section 3); this case, the Customer acts as personal data source of which ensures the consent and the transfer to third parties,
- d) voice and data traffic, for purposes 3a), 3b) , 3c) e 3d) detailed on the above Section 3), limited to service’s deployment stage or to maintenance services.

5. Nature of Consent

You are only obliged to provide. However, under no circumstances are you obliged to make any data available to us which is not relevant to the performance of the contract or which is not required by law and/or for regulatory reasons.

Legal basis for purposes 3a), 3b) and 3c) detailed on the above Section 3), is based on GDRP -Art. 6 (1,b) and it is necessary for the assumption and performance of the contract business relationship and which we are obliged by law to collect; if you do not make this data available to us, we will have to refuse to conclude the contract or to execute the order, as a rule, or we will no longer be able to perform an existing contract and must therefore terminate it.

Legal basis for purposes 3d) detailed on the above Section 3), is based on GDPR – Art.6 (1,f) that represents a Data Controller’s legitimate interest and you are not obliged to provide any consent.

Legal basis for purposes 3e) detailed on the above Section 3), is based on GDPR – Art.6 (1,f) that represents a Data Controller’s legitimate interest to prevent illegal or fraudulent behavior.

However, under no circumstances you are obliged to make any data available to us which is not relevant to the performance of the contract or which is not required by law and/or for regulatory reasons

6. Data Recipients

The personal data collected as above are processed by people from the Data Controller, acting on specific instructions concerning purposes and arrangements of such processing.

According to legal obligations, Authorities or recipients appointed by us (i.e. companies in the categories of banking services, IT services, logistics, printing services, telecommunications, Local or Regional Internet Registrar, WHOIS Maintainer, advice and consulting, and sales and marketing, will have access to it). They could be appointed as data processors according to GDPR – Art.28. Full list of data processors is available at Data Controller establishment.

7. Period for which data will be stored

Data processing is performed at Data Controller's establishment or at Data processors' establishment.

The criteria used to determine that period is detailed in the following:

- a) for purposes 3a), 3b) detailed on the above Section 3), for as long as it is necessary in order to fulfill our contractual obligations (including warranty and/or maintenance period),
- b) for purposes 3c) detailed on the above Section 3), for as long as it is necessary in order to fulfill our legal obligations or applicable law,
- c) for purposes 3d) detailed on the above Section 3) until the withdraw of the consent,
- d) for purposes 3e) detailed on the above Section 3), for as long as it is necessary in order to fulfill our legal obligations or applicable law.

8. Data Processing

Data Controller's performs data processing (such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction) whether or not by automated means.

Data Controller's adopts proper measures according to GDPR – Art.32.

Any automated decision making pursuant to GDPR- Art.22 is excluded. If we use this procedure in individual cases, we will inform you of this separately, as long as this is a legal requirement.

9. Data Transfer outside European Union (EU)

Except what is outlined at the above Section 6a) personal data transfer outside European Union doesn't take place.

10. Data subjects' rights

Data subjects have the right to obtain from the Data Controller, where appropriate, access to their personal data as well as rectification or erasure of such data or the restriction of the processing concerning them, and to object to the processing (pursuant to Articles 15 to 22 of the Regulation). Data Controller's references and DPO are reported on the above Section 1) and Section 2).

MITAN TELEMATICA S.R.L.