



# Policy on data processing - CUSTOMERS

Dear Customer

**Subject: Policy on the processing, communication and dissemination of data, in application of the European Data Protection Regulation - -Reg. 679/2016 (GDPR)**

## **PREMESSA**

Pursuant to articles 13 and 14 of EU Regulation 2016/679 (GDPR), laying down provisions for the protection of individuals with regard to the processing of personal data, the Data Controller is required to provide interested parties with some information regarding the use of their personal data.

In particular, **BETTER SILVER S.P.A.** in the performance of its activities/functions needs to process information and personal data related to its organization, acting in the role of Data Controller under the GDPR.

The information and personal data, provided by you, or acquired within the contractual relationship with the writer, are treated in compliance with the laws in force and the confidentiality obligations that have always inspired the activity of **BETTER SILVER S.P.A.** as well as in respect of fundamental rights and freedoms, dignity of the person concerned, respect for personal identity and the right to protection of personal data, with particular reference (ref. Art. 5 - Principles applicable to the processing of personal data) to the principles of lawfulness, correctness and transparency, purpose limitation, data minimisation, accuracy, storage limitation, integrity and confidentiality.

The data controller is: **BETTER SILVER S.P.A.**

Via dell'Artigianato, 25  
36050 Bressanvido (VI) - Italy  
VAT: 03476180249  
Tel.: 0444 467711  
Fax: 0444 467750  
Web: <http://www.bettersilver.it>  
E-mail: [amministrazione@bettersilver.it](mailto:amministrazione@bettersilver.it)

## **PURPOSE OF DATA PROCESSING**

The processing of data is aimed at the pre-contractual and contractual management of the activities carried out on behalf of the client by **BETTER SILVER S.P.A.**. In particular, we highlight the following purposes:

- a) Commercial and pre-contractual management, in relation to all the activities that preceded the contractual stipulation (e.g. preventive processing and related information processing activities);
- b) Administrative and accounting management (e.g. issue of invoices, preparation of payments and relations with credit institutions, contractual management and protection of credit positions deriving from them, etc.);
- c) Management of characteristic activities and services provided by the Company for the benefit of the customer.
- d) Sales and promotional post-sales management, in relation to solutions, new products, organization of events, in line with the proposed services and solutions.

The processing will be carried out with the main support of electronic tools, and may cover data and information on computer or paper media, by authorized individuals.

In general, for the aforementioned purposes, depending on the case, the data will be stored at our company, at the customer's IT infrastructure, at our data centers, or at our suppliers' datacenter, and will



## Policy on data processing - CUSTOMERS

be communicated exclusively to the competent subjects, internal or external to the organization, as described below, for the completion of the services necessary for the proper management of the contractual relationship and the underlying services with a guarantee of protection of the rights of the interested party.

### LEGALITY AND LEGAL BASES OF PROCESSING

The processing of personal data by the Data Controller is legitimized by the following conditions (art.6 of the GDPR):

- The interested party has given his consent to the processing of his personal data for one or more specific purposes.
- The processing is necessary for the execution of a contract of which the interested party is a party and for the possible execution of pre-contractual or post-contractual measures adopted at the request of the same.
- The processing is necessary to fulfill a legal obligation to which the Data Controller is subject (in particular for administrative and accounting purposes).
- The processing is justified by a legitimate interest of the Data Controller, such as, for example, the sending of commercial and / or promotional communications relating to products and services similar to those covered by the existing contractual relationship

### SCOPE OF DISTRIBUTION AND CATEGORIES OF PERSONS TO WHICH MAY BE DISCLOSED DATA, ANY LIABILITY DOMAINS

Personal data collected by **BETTER SILVER S.P.A.** may be disclosed, within the limits and in the forms strictly relevant to the aforementioned purposes, also to the following subjects or categories of subjects:

- i. Subjects to whom communication is required by law, by regulation or by national and community legislation as well as for the performance of contractual or pre-contractual obligations.
- ii. Credit Institutions, Insurance Companies and other entities for the execution of contractual or pre-contractual obligations (disbursement of payments, stipulation of compulsory insurance policies, etc.);
- iii. External studies and professionals specialized in consulting for the management of accounting and tax aspects for the fulfillment of the law (eg accountant, auditing company, etc)
- iv. Companies that carry out any activities of transport and shipment of the goods in relation to the customer's personal details.
- v. Subjects that provide services for the management of the **BETTER SILVER S.P.A.** information system and telecommunications networks (including e-mail), limited to the management of security profiles for the purposes of data processing operated by **BETTER SILVER S.P.A.**;

For the types of communications to the subjects mentioned above, iii, v, **BETTER SILVER S.P.A.** has a contract in place that assigns and regulates the role of responsibility of treatment (so-called Sub-suppliers or data Processors) in accordance with Art. 28 of the GDPR. The updated list is available at **BETTER SILVER S.P.A.** headquarters.

### DATA TRANSFER

As a rule, the Data Controller does not transfer personal data to third countries or to international organizations.

The undersigned also reserves the right to use services in cloud; in which case, the service providers will be selected among those who provide adequate guarantees, as required by art. 46 GDPR 679/



## Policy on data processing - CUSTOMERS

### **PROVISION OF DATA AND CONSEQUENCES OF FAILURE TO COMPULSORY / NON-COMPULSORY PROVISION**

The provision of data must be considered mandatory with regard to the processing that the organization must carry out to fulfill its obligations towards the data subject on the basis of the existing relationship (or contract), as well as legal obligations, rules, regulations - see paragraph finality, a) b) and c) - Failure to provide such data may make it impossible for **BETTER SILVER S.P.A.** to proceed with the current relationship.

The provision is not mandatory for all other purposes and, even if conferred, can be revoked at any time by the interested party. In the event of failure to provide consent, the consequences will be assessed from time to time, having regard to the specific case. For the purposes of type d) communications will always be accompanied by an information for the processing of data and will always be given the right to withdraw from communications of a commercial or promotional nature.

### **DATA CONSERVATION PERIOD / DATA RETENTION**

The data are kept only for the period necessary for the purposes for which they are processed or within the terms provided for by national and Community laws, rules and regulations to which the organization must comply (eg accounting and tax regulations, etc.). It is expected that a periodic check will be carried out annually on the data processed and on the possibility of being able to cancel them if no longer necessary for the intended purposes.

### **RIGHTS OF DATA SUBJECTS**

The Data Controller undertakes to provide the interested party with feedback on any requests in relation to the processing of data, within 30 days and, in the event of impossibility to comply with these deadlines, to justify any extension of the deadlines. The response will be free of charge, except in cases of groundlessness or excessive requests for which a fee may be charged that is not higher than the costs actually incurred for the research carried out.

In particular, please note the rights of the data subject to access, rectification or deletion of data, and those to the limitation or opposition to processing, as shown in the tables below.

Access (art. 15)	<ul style="list-style-type: none"><li>- Confirmation of the data processing of the data subject by the Data Controller.</li><li>- Access to personal data by the data subject processed by the Data Controller.</li><li>- Information on purposes, categories of processed data, recipients of any communications (especially if in third countries), expected retention period and origin of the data collected from third parties.</li><li>- Information on the existence of the right to rectification or deletion of data and limitation or opposition to their processing and to lodge a complaint with the Guarantor.</li><li>- Possible existence of an automated decision-making process or profiling, information on the logic used and the consequences of such processing.</li></ul>
Correction (art.16)	<ul style="list-style-type: none"><li>- Correction by the Owner, without unjustified delay, of the incorrect personal data concerning the interested party and</li><li>- integration of incomplete personal data.</li></ul>



## Policy on data processing - CUSTOMERS

Cancellation (art.17)	<p>In cases of:</p> <ul style="list-style-type: none"> <li>- data no longer necessary for the purposes for which they were collected;</li> <li>- withdrawal of consent, if there is no other legal basis for the processing;</li> <li>- opposition to treatment, if there is no legitimate overriding reason;</li> <li>- unlawful processing;</li> <li>- legal obligation;</li> <li>- and finally, in cases related to the consent of minors, with regard to the provision of information society services.</li> </ul>
Limitation (art.18)	<p>Temporary regime of abstention from processing in cases of:</p> <ul style="list-style-type: none"> <li>- contestation of accuracy,</li> <li>- opposition to cancellation in case of unlawful processing,</li> <li>- data no longer necessary for the Data Controller but necessary for the data subject to exercise a right,</li> <li>- opposition to processing</li> </ul> <p>Pending the conclusion of the investigations, the Data Controller is required to retain the data and performs any other processing only under certain conditions.</p>
Portability (art.20)	<p>As regards processings based on consent or on a contract, the data subject is entitled to receive from the Data Controller his personal data in "common" electronic format in order to transmit them to another Data Controller (also directly from the Data Controller to the Data Controller)."portable"personal data are those that the subject has provided directly and explicitly to the Owner, but also those collected during the provision of the service, such as, for example, traffic or navigation data (for network service providers) .</p>
Opposition (art.21)	<p>Opposition to the processing of personal data based on the criteria of lawfulness of the exercise of public interest or of the legitimate interest of the Owner, including direct marketing or any profiling.</p> <p>The Data Controller refrains from processing, except for legitimate reasons that prevail over the interests, rights and freedoms of the interested party, or for verification, exercise or defense of a right in court.</p> <p>The Data Controller is obliged in any case to stop processing for direct marketing purposes if the data subject opposes the use of their data for this purpose.</p>

Other rights recognized to the interested parties are those of the following table.

Complaint (art.77)	<p>Right to propose a complaint to a Supervisory Authority (Privacy Guarantor), where the interested party considers that the processing that concerns him / her violates the Regulation</p>
Compensation (art.82)	<p>Right to obtain from the Owner and / or the Manager the full and effective compensation for any damage suffered, material or immaterial (financial loss, identity theft, discrimination, etc.), if caused by the processing of personal data of the data subject in violation of the Rules and the Data Controller and / or the Data Manager are not able to prove that the harmful event is not attributable to them.</p>



## Policy on data processing - CUSTOMERS

As regards the processings legitimated by a consent, the interested party has the right to revoke it at any time without prejudice to the lawfulness based on the consent given prior to the revocation.

Best regards.

THE DATA CONTROLLER



# Policy on data processing - CUSTOMERS

## REQUEST FOR CONSENT TO THE PROCESSING OF PERSONAL DATA

For the CUSTOMER

.....

NAME AND SURNAME

.....

ADDRESS

.....

Given that, as defined in the information that the undersigned expressly declares to have received and read, the execution of the relationship with **BETTER SILVER S.P.A.** may involve the need to process personal data of the person concerned and in the knowledge that, in the absence of the provision of such data the relationship may not be fully exercised, the undersigned freely expresses consent for the purposes referred to in letters a), b), c) of the PURPOSE paragraph.

I GIVE MY CONSENT

SIGNATURE OF THE DATA SUBJECT

\_\_\_\_\_

The undersigned freely expresses his consent for the purposes referred to in letters d) of the paragraph PURPOSE (commercial and promotional activities, as well as reports of events and invitations to the same)

I GIVE MY CONSENT       I DENY MY CONSENT

SIGNATURE OF THE DATA SUBJECT

\_\_\_\_\_